

**HEWEB – Hedge End, West End and Botley Local Area Committee 11
November 2024**

Application Number: F/24/97960
Case Officer: David Huckfield
Received Date: 14/08/2024
Site Address: HATTS COPSE FARM, BROOK LANE, BOTLEY,
SOUTHAMPTON, SO30 2ER
Applicant: Mr Brinton King
Proposal: Construction of 2 bedroom bungalow with adjoining garages
following demolition of existing annex and outbuildings.

Recommendation:

Subject to:

- i) the submission and consideration of a Preliminary Ecological Appraisal and the addition of any necessary conditions arising from this

To Delegate back to the Planning Manager in conjunction with the Chair and Vice Chair of the Hedge End, West End and Botley Local Area Committee to **PERMIT** subject to the following conditions:

CONDITIONS AND REASONS

1. The development hereby permitted shall be implemented in accordance with the following plans numbered: KAD-06-A-LOCA, KC-01-A-EX, KAD-09-A-PP, KC-01-A-PRO-B, KC-02-A-PRO-B. 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. Notwithstanding the approved plans / details, no development above slab level shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - a) details and samples of the materials to be used in the construction of the external surfaces of the development;
 - b) plans and particulars showing details for the provision for cycle and bin storage to serve the replacement dwelling hereby approved;
 - c) the alignment, height and materials of any walls, fences or other means of enclosing the amenity area for the replacement dwelling hereby approved; and,
 - d) a landscaping scheme to cover all surfacing, trees and planting for the amenity area of the replacement dwelling hereby approved.

The development shall be carried out in accordance with the approved details which shall thereafter be maintained.

Reason: To ensure a satisfactory visual appearance, to provide for adequate facilities to serve the development, and in the interests of sustainability and amenity.

4. For a period of 10 years after planting, any trees or plants approved as part of the landscaping scheme the subject of condition 3 (d) which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme. Reason: In the interests of the visual amenity of the locality.
5. No excavation, demolition or development related works shall take place on site until a scaled and referenced tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), has been submitted to and approved in writing by the Local Planning Authority (LPA). The approved tree protection plan must be adhered to in full, and may only be modified subject to written agreement from the LPA. Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.
6. The dwelling hereby permitted shall not be occupied until a minimum of 2 car parking spaces (inclusive of the integral garage as denoted on approved drawing no. KC-01-A-PRO-B) have been provided and made available for the use of the occupiers of that dwelling. This parking shall then be permanently retained and reserved for that purpose at all times. Reason: To make provision for adequate on-site parking in the interests of highway safety.
7. The development hereby approved shall not be first brought into use until the buildings denoted on the submitted drawings as 'Existing Annex' and Buildings 'A', 'B' and 'C' have been demolished and all resultant materials have been removed from the site. Reason: To limit the impacts of the development and the extent of the built form on the site on the character of the countryside and settlement gap within which the site falls.
8. The integral garage for the dwelling hereby approved shall only be used for the purpose of parking private motor vehicles in connection with the residential use of the property and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes. Reason: To ensure the adequate provision of on-site parking for the purpose of highway safety.
9. The triple garage hereby approved shall only be used for purposes incidental to the residential use of the property at Hatts Copse Farm and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes. Reason: In the interests of amenity and the character of the area.
10. Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 [or any order revoking or re-enacting that order with or without modification] no development permitted by Classes A, B or E of Part 1 of Schedule 2 of the order shall be carried out to the replacement

dwelling hereby approved or within its amenity area without the prior written approval of the Local Planning Authority. Reason: In the interests of protecting the amenity of the area and to control the impacts of development on the countryside and settlement gap.

11. No construction, demolition or deliveries to 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 Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings.
12. No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process. Reason: To protect the amenities of the occupiers of nearby properties.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework, Eastleigh Borough council take 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

1. This application has been referred to Committee by Councillors Garton, House and Kyrle.

Description of application

2. The application seeks full planning approval for the construction of a single-storey, two-bedroom bungalow with a single integral garage and amenity area to its western and southern sides. In addition, the proposals also include the provision of a triple-garage which will serve the main house at Hatts Copse Farm and which will be partially attached to the new bungalow. The buildings will have a mixture of hipped and gable-ended roof forms with their elevations proposed to be finished in a combination of brick and render.
3. In order to facilitate the proposals, an existing dwelling, referred to as 'the annex' on the submitted drawings, would be demolished. This building has a lawful use as a single independent dwellinghouse with a certificate of lawfulness having been granted for this in December 2023 (see planning reference LDC/23/95878) and, as such, the proposals are for a replacement dwelling. As well as the proposed demolition of this structure, three other outbuildings on the site are also proposed to be removed, with these currently providing for a mixture of garaging and storage.
4. The removal of the two buildings along the eastern boundary of the site, which are denoted as 'A' and 'C' on the site layout plan, would allow for an existing currently overgrown access route to the site to be brought back into use. This route is accessed via the site's main drive and runs along the rear boundaries

of the neighbouring dwellings to the east before entering the application site between an existing stable building and a large barn-style structure.

The site and its surroundings

5. The application site is comprised principally of a large detached, two-storey dwellinghouse known as Hatts Copse Farm which was originally constructed as an agricultural workers dwelling in the 1980s. The agricultural occupancy tie was removed in 2008 and the property benefits from an extant consent (Ref. F/22/93781) for its demolition and replacement with a detached, five-bedroom dwelling.
6. The site is accessed from the western side of Brook Lane and falls within both designated countryside and settlement gap within the Council's adopted Local Plan. This section of Brook Lane consists of ribbon development of predominantly detached houses set on relatively long plots, beyond which are primarily areas of green fields and woodland. Hatts Copse Farm is positioned to the rear of these dwellings and is accessed by way of a relatively long entrance drive which leads to a large courtyard area to the front of the main property.
7. This courtyard, as well as providing for parking and turning, encompasses a range of single storey structures including the dwelling referred to as 'the annex' and those others which are to be demolished as part of the proposals and which are referenced above, in addition to an L-shaped stable building and a barn-style structure which would be retained. A large area of paddock / agricultural land lies to the rear (west) of the dwellings on the site and also falls within the applicant's ownership.

Relevant planning history

8. The planning history on file for the application site is as follows:
 - F/24/97053 – Construction of detached 2-bedroom bungalow and conversion of existing bungalow to storage/garage to be used for purposes incidental to the use of Hatts Copse Farm as a dwellinghouse – Refused (07/06/2024)
 - LDC/23/95878 – Use as a single dwellinghouse – Certificate Issued (20/12/2023)
 - X/23/95865 - Variation of condition 8 to allow occupation of the same person/people for up to 6 months within any one calendar year of planning permission F/22/93780 for new building containing Class C1 accommodation – Refused (18/10/2023)
 - F/22/93781 - Demolition of the existing main house with 4- Bedrooms and rebuild with a 5-Bedroom Main House – Permit (31/08/2023)
 - F/22/93780 - Demolition of existing annex and erection of new building for Class C1 accommodation with associated parking – Permitted 08/08/2023

- PN/22/93479 Prior Notification application under Class Q for the change of use from Agricultural Buildings to 2no. Dwellinghouses (Use Class C3) – Dismissed at Appeal (13/03/2023)
- F/11/69156 Use of stables and paddock for full livery for 6no. Horses (amended description – Permit (16/09/2011))
- V/08/64296 - Variation to section 106 agreement dated 11/04/1994 relating to planning permission 26442/11 to allow the buildings identified in the agreement to be used solely as accommodation ancillary to the main dwelling house and, as such, to be occupied only by family of the owner of the dwelling house – Permit (2009)
- X/08/63160 - Relief of condition 3 of planning permission 26442/6 to remove agricultural occupancy tie – Allowed on Appeal (2008)
- Z/26442/014/00 – Construction of new agricultural shed following demolition of existing sheds and re-roofing of existing garage to include increase in ridge height – Permit (2003)
- Z/26442/011/00 - Renewal of permission 26442/9 dated 28/02/92 for conversion of detached garage and outhouse to separate dwellings for occupation by elderly parents (retention of development already carried out) – Permit (1994)
- Z/26442/009/00 - Conversion of detached garage and outhouse to separate dwellings for occupation by elderly parents (retention of development already carried out) – Temporarily Approve (1992)
- Z/26442/008/00 – Construction of single storey side extension – Permit (1990)
- Z/26442/007/00 – Outline: Erection of dormitory for occupation by seasonal workers – Refused (1986)
- Z/26442/006/00 – Erection of detached agricultural worker's house with garage, farm office and rest room – Permit (1985)
- Z/26442/005/00 – Erection of agricultural workers dwelling and garage – Grant Outline Permission (1984)
- Z/26442/004/00 – Erection of detached dwelling and garage for occupation by agricultural worker – Refused (1984)
- Z/26442/003/00 – Replacement of temporary caravan unit with new 4 bedroomed dwelling house and garage as agricultural dwelling – Refused (1983)
- Z/26442/002/00 – Temporary siting of residential caravan – Permit (1983)

- Z/26442/001/00 – Erection of an agricultural dwelling with garage – Refused (1983)
- Z/26442/000/00 – Detached agricultural dwelling with garage – Refused (1983)

Summary of representations received

1 letters of representation has been received objecting to the application on the following grounds:

- The application is contrary to the Local Plan and the policies in the emerging Botley Neighbourhood Plan.
- There have been several previous attempts to have extra dwellings on this land that have all been refused.

Consultation responses

Botley Parish Council

9. No comments received.

Ecology

10. Gould Copse SINC is adjacent to this site. It is designated for ancient semi-natural woodland and other woodland where there is a significant element of ancient semi-natural woodland surviving. There are also records of bats, badgers, and hedgehogs in this area and the property is in a red impact risk zone for great crested newts. Nesting birds, reptiles and common toads were mentioned in the ecological reports for previous applications on the wider property. An updated Preliminary Ecological Appraisal is required to be undertaken and submitted. Biodiversity enhancements will also be required in accordance with Local Plan policy DM11 and NPPF paragraph 180.

Tree Officer

11. To the immediate south of the site, there is woodland, subject to a Woodland Tree Preservation Order. Although no arboricultural information has been submitted, it is obvious that there will be no direct impact from the proposed development on the Root Protection Areas (RPAs) of the trees. However, during construction, there may be an elevated risk of RPA impact from construction access and activities. In order to mitigate that risk, we would request a simple Tree Protection Plan, which must be adhered to. Therefore, we raise no arboricultural objection, subject to a condition to require this to be submitted and approved prior to the commencement of development.

Hampshire County Council Highways

12. It would appear that adequate space is afforded for the parking of not only the new dwelling but also other on site uses. Space to turn a vehicle is also

provided to enable forward gear access and egress, and adequate visibility is given at the existing site access / shared driveway with Brook Lane.

Policy context: designation applicable to site

- Outside the Urban Edge
- Within Designated Countryside
- Within Designated Settlement Gap

Legislative provisions, development plan policies, SPD's and National planning policy

Legislative provisions

13. 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

14. The Development Plan comprises of the policies of the adopted Eastleigh Borough Local Plan 2016-2036. The following policies are of relevance to the application: S1 (Delivering sustainable development), S5 (New development in the countryside), S6 (Protection of settlement gaps), DM1 (General criteria for new development), DM2 (Environmentally sustainable development), DM3 (Adaption to climate change), DM11 (Nature conservation), DM13 (General development criteria – transport), DM14 (Parking), DM26 (Residential extensions and replacement dwellings in the countryside), DM30 (Internal space standards for new residential development).

Botley Neighbourhood Plan

15. The draft Botley Neighbourhood Plan, along with its supporting evidence and documentation, has recently been subject to public consultation in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, with the next stages of the neighbourhood plan process requiring an independent examination and, thereafter, a local referendum to take place. Given the current status of the Plan within this process therefore, it is considered that it attracts limited weight at this stage in the determination of this application.

Supplementary planning documents / associated guidance

- Quality Places (November 2011)
- Residential Parking Standards (January 2009)
- Trees and Development (April 2022)

National planning policy and guidance

16. 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.

Assessment of proposals

Principle of development

17. The application site lies outside of the urban edge and falls within an area which is designated as countryside and settlement gap within the Council's adopted Local Plan. Policy S6 of the Local Plan seeks to prevent development which would undermine the physical extent and/or visual separation of settlements or have an urbanising effect on the countryside, with Policy S5 seeking to prevent inappropriate development within the countryside in order to maintain its rural character and limit urbanisation, whilst facilitating and controlling development for which a countryside location is genuinely and justifiably required. The provisions of this policy allow for replacement buildings subject to the criteria of the relevant Development Management policies being adhered to.
18. In this regard, Policy DM26 allows for the replacement of a permanent dwelling in the countryside providing that (a.) it would not be disproportionate in size to the existing dwelling, neighbouring properties or in relation to its plot, or involve any extension to its curtilage; and, (b) in the case of a replacement dwelling, the proposal includes the replacement of the dwelling within the curtilage, and on the same footprint as the existing building, unless environmental and/or access benefits arise from an alternative location within the curtilage; and, (c) no additional dwellings are created.
19. The existing building, referred to as 'the annex', has a lawful and independent C3 use (as established under lawful development certificate reference LDC/23/95878) and therefore constitutes a permanent dwelling. The principle of the construction of a replacement dwelling is therefore considered to be acceptable in policy terms, with any planning approval being subject to the above referenced criteria, and those of the other development plan policies of relevance to the application, being adhered to. The material considerations in these respects are discussed in the sections below.

Layout, design and impact on the character of the area

20. In addition to the requirements of Policies S5, S6 and DM26 which are referenced above, Policy DM1 of the Local Plan, amongst other things, requires that development takes full and proper account of the context of the site, is appropriate in layout, scale, density and design, and that it should not have an

unacceptable impact on, and where possible should enhance, the character and appearance of the area.

21. The application seeks approval for the construction of a replacement dwelling in the form of a two-bedroom bungalow, along with the provision of a triple garage to serve the main property, following the demolition of the existing dwelling and a range of outbuildings. The application is a resubmission following the refusal of planning application reference F/24/97053 which had also sought approval for a replacement property, with the building currently comprising the existing lawful dwelling proposed to be retained and converted in that case to storage incidental to the main Hatts Copse Farm dwelling.
22. The previous application was refused on the grounds that the additional built form proposed would have had an unduly urbanising impact upon the character of the site and its surroundings. It was also a material consideration that the proposed dwelling was not sited on the same footprint as the existing property and, as that building also benefits from an extant planning permission (F/22/93780) for its demolition and replacement with a larger structure for the use as tourist accommodation (C1 use), there was a risk that that consent could still be implemented which would have further intensified both the extent of the residential use on the site and the overall level of built form.
23. In order to seek to address these concerns, the proposals have been revised such that the footprint of the replacement dwelling would now overlap, at least to some degree, that of both the existing property as well as that of the footprint of the approved C1 building, which would be sufficient to serve to prevent the potential implementation of both schemes. The proposals now also incorporate the demolition of other existing outbuildings which are presently used for storage and garaging, with these functions being proposed to be replaced by the new triple garage structure which forms part of the current application, and which would be situated in the same location as the remainder of the existing dwelling.
24. As a result of this, the overall level of internal floorspace proposed would now be broadly comparable to the existing (approximately 246.6sqm compared to 237.8sqm), with the new dwelling being moderately larger in size than the current property (149.6sqm compared to 125.8sqm) and the proposed storage and garage structure being slightly smaller than the other buildings to be removed (97sqm compared to 112sqm). Whilst the new dwelling would extend further to the south than the buildings to be demolished and the scheme now includes a designated area of amenity space for the replacement dwelling which the current property does not specifically benefit from; the former is only to a modest degree and the latter would still be situated within what is currently the curtilage area of Hatts Copse Farm. The potential future erection of any additional structures within this area of amenity space and, indeed, any extensions or alterations to the new dwelling itself, can also be adequately controlled through the removal of permitted development rights by condition.
25. Taking account of these factors, as well as the appropriate design, form and single storey height of the proposed buildings and the relative containment

afforded to the site from its wider surroundings, it is considered that the changes made to the scheme serve to notably reduce any potential additional urbanising effects arising from the development and, whilst acknowledging that the scheme may give a greater impression of subdivision of the site than is currently the case with the existing property, in this particular instance and on balance it is not considered that this, in itself, would be intrinsically harmful or unacceptable in planning terms.

26. Overall, therefore, and for the reasons given, it is not considered that the development would unduly detract from the character of the area or have an unacceptably urbanising impact upon this part of the designated countryside and settlement gap, nor would it undermine its function of separating and providing a setting for the Borough's settlements. The application is thereby considered to comply with Policies S5, S6, DM1 and DM26 of the adopted Local Plan in respect of the matters of layout, design and the impacts of the development on the character of the area.

Residential amenity

27. Policy DM1 of the Local Plan requires that new development should not have an unacceptable impact on, and where possible should enhance, residential amenities of both new and existing residents. The Council's adopted Quality Places SPD provides additional guidance in relation to amenity in support of Policy DM1.
28. When assessing residential amenity, there are two main considerations, with these being the quality of the residential environment that would be provided for the future residents of the development, as well as the impacts of the proposals on the amenity of the occupiers of existing neighbouring properties. These matters are considered in turn below.

Amenity of the future occupiers of the development

29. The proposed replacement dwelling would meet the requirements of the Nationally Described Space Standards in accordance with Policy DM30 of the Local Plan and would thereby provide sufficient space for its residents to live comfortably. Habitable rooms would also achieve a suitable degree of privacy and be generally well served by light and outlook. Whilst the proposed garage and store building for the main dwelling would adjoin the new bungalow and border its proposed amenity area, it is not considered that this would be overbearing or cause an unacceptable level of disturbance given that it would be for domestic purposes and, as there are no windows within the facing elevations, it would also not impinge upon privacy.
30. In terms of exterior space for the bungalow, the Council's Quality Places SPD sets out a general requirement for an area to be provided which is equivalent to a minimum of 60% of the floor space of the dwelling to which it relates. This requirement would be met through the provision of an amenity area to the western and southern sides of the property, with this being a suitable shape

and layout to be sufficiently usable for its residents. The landscaping of this area, including means of enclosure, are proposed to be covered by condition.

Impacts on the amenity of the occupiers of neighbouring properties

31. Turning to the impact on neighbouring properties, there are no significant concerns in respect of the dwellings along Brook Lane which border the site to the east. The proposed dwelling and adjoining garages are single storey in nature and are afforded a sufficient degree of separation such that they would not be overbearing or result in any undue loss of light or outlook for their occupiers, nor would any loss of privacy or overlooking occur.
32. Whilst the bringing back into use of the alternative access drive would result in vehicles passing by the rear boundary of some of the aforementioned neighbouring properties, the level of movements would be particularly limited and not considered such as to result in unacceptable levels of disturbance. It is also a material consideration that, notwithstanding the development proposed, the access in itself could be brought back into use without the requirement for planning permission.
33. In terms of the relationship between the replacement dwelling that is proposed and the existing main property at Hatts Copse Farm, this would be acceptable from an amenity perspective and, indeed, given the change in orientation of the proposed bungalow and the alternative access arrangements, it could be argued it would actually be improved relative to the current site circumstances whereby access is via the shared courtyard and the existing property has windows directly facing out onto it.
34. Overall and for the reasons given, the development is considered to accord with the requirements of the relevant local plan policy and associated guidance as referenced above in respect of the matter of residential amenity.

Highway matters

35. Policy DM13 of the Local Plan requires that all new development has safe and convenient access to the highway network and makes provision for access to, and by, other transport modes including public transport and cycle and pedestrian routes as appropriate. Access arrangements to the highway network must meet national and local guidance and standards, not cause or increase danger to road users or impact detrimentally on highway safety, and be provided without unacceptable environmental impact. Policy DM14 requires that an appropriate level of car parking be provided in accordance with the Council's Residential Parking Standards SPD.
36. In respect of its location, whilst the site is not particularly well connected for local services and public transport, the proposals are for the replacement of a lawful dwelling with no net increase in the number of residential units and, therefore, this is accepted in this case. In terms of access, the property would share the same entrance point and private drive from Brook Lane as the main dwelling at Hatts Copse Farm, although would utilise a separate point of access

into the site itself with this being further to the south and facilitated by way of the bringing back into use of an overgrown and disused track/drive and the demolition of an outbuilding. This route is, when taking account of the limited level of traffic that would utilise it, considered suitable in highway terms and benefits from sufficient visibility, with adequate turning space available on site to allow vehicles to access and egress the site in a forward gear.

37. In terms of parking, the Council's Residential Parking Standards SPD requires that 2-bedroom dwellings have 2 on-site parking spaces. Whilst only a single space is shown on plan within the bungalow's integral garage, there is more than adequate space to the front of the dwelling to accommodate the additional parking required. The proposed triple garage and extensive driveway/courtyard area to the front of the main dwelling at Hatts Copse Farm will ensure that a suitable level of parking, in excess of the minimum requirement of 3 spaces for 4-bedroom dwellings and above, is maintained. These matters, along with the requirement for the provision of bin and secure cycle storage for the proposed bungalow, can be adequately covered by condition.
38. Taking account of the above factors, the development is considered to be acceptable in highway terms and to comply with Local Plan Policies DM13 and DM14 and the provisions of the Council's Residential Parking Standards SPD.

Ecology

39. Policy DM11 of the Local Plan states that the Council will determine planning applications to protect, conserve and enhance all international, national and local nature conservation designations and networks of natural habitats and features, and facilitate their adaptation to climate change wherever possible. It also seeks a net gain for biodiversity on development sites and sets out that development will not be permitted where it is likely to have a direct or indirect adverse effect on protected or priority species unless 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 overall biodiversity net gain, and the benefits of the development clearly outweigh the adverse effects.
40. The Council's Ecologist has highlighted within their consultation response that the site is within in a red impact zone for great crested newts, as well as being adjacent to Gould Copse SINC which is designated for ancient semi-natural woodland and other woodland where there is a significant element of ancient semi-natural woodland surviving. There are also known records of various species, including bats, badgers and hedgehogs, present within the vicinity of the site, and the proposals incorporate the demolition of a range of structures of varying age and condition.
41. Natural England's Standing Advice for protected species stipulates that a developer should submit enough information to enable the Local Planning Authority (LPA) to fully consider the effect on protected species and their habitats and that surveys can be requested where there is suitable habitat on site. In light of the aforementioned context, it is considered justifiable in this

case for a preliminary ecological appraisal to be required to be undertaken to consider the likely impacts of the development, as well as detail any mitigation measures and further survey work that may be necessitated.

42. With regards to biodiversity net gain, the development would be exempt from the mandatory 10% requirement stipulated within Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) as it is deemed to constitute a self-build development (the applicant has advised that the dwelling would be for his family members to reside in) and the site area for the property itself and its amenity space is less than 0.5 hectares. Notwithstanding this, there remains a requirement for a net gain to be achieved in line with Policy DM11 of the Local Plan and enhancements to achieve this should therefore be incorporated into the development and detailed within the required ecological report.
43. Whilst the applicant was not accompanied by any ecological information as originally submitted, the applicant has advised that the required survey is in the process of being undertaken and will be submitted once available. Members will therefore be updated further on this matter at the committee meeting.

Trees

44. Policy DM1 of the Local Plan requires *inter alia* that development should not involve the loss of or damage to trees, woodlands, hedgerows or other landscape features of value to the character of the area unless they can be replaced with features of equivalent or enhanced value. These policy provisions are supported by the Council's adopted Trees and Development SPD which aims to ensure that trees are fully considered as part of the planning process so their multiple benefits can be experienced by the Borough of Eastleigh and by existing and future residents.
45. The area of the site where the dwelling and garage buildings will be located is presently devoid of trees. There is however protected woodland to the south of the site and, whilst there will be no direct encroachment into the root protection areas of these trees by the proposed structures, it is considered necessary for them to be protected during the development works to mitigate any potential risks arising from demolition and construction related activities. The Council's Tree Officer is satisfied that the required protection measures can be covered by a pre-commencement condition and, with the imposition of this, there is considered to be no conflict with the provisions of Policy DM1 of the Local Plan or the Council's Trees and Development SPD.

Environmentally sustainable development and climate change

46. 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.

47. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. Neither the NPPF nor the adopted Local Plan 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 national and local planning policy. The need to support the economy is part of the Strategic Environmental Assessment for the Local Plan, as is an assessment of climate impacts.
48. 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 the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. In this particular instance and when considering the impact of climate change, the proposed development would be expected to be resilient to its potential effects, with the efficiency of the building, when considered relative to the existing dwelling to be replaced, to be improved in line with modern day building regulation requirements which will apply to the residential use.

Equalities implications

49. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states that:

(1) 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; and
- (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.

50. It is not considered that this application raises any equality implications.

Other material considerations

51. None.

Conclusion

52. In conclusion, the development is considered to be in compliance with the relevant local and national planning policy provisions in respect of its layout and design, as well as its impacts upon the character of the countryside and the functionality of the settlement gap within which the site is situated. In addition, the proposals are acceptable in highway safety and arboricultural terms, as well as with regards to their effects on residential amenity. Subject, therefore, to the receipt and consideration of a suitable Preliminary Ecological Appraisal and the imposition of any relevant conditions to appropriately mitigate the ecological impacts of the development and secure the requisite biodiversity net gain, the proposals are considered to constitute sustainable development and the application is recommended for approval.



EASTLEIGH
BOROUGH COUNCIL



Address: **HATTS COPSE FARM, BROOK LANE**
BOTLEY, SOUTHAMPTON, SO30 2ER

Date: 30/10/2024

Scale: 1:1250