

DELEGATED OFFICER REPORT:**Application Ref:** F/24/97740**Site Address:** HE LOG CABIN, HILLVIEW MANOR PARK, WINCHESTER ROAD,
FAIR OAK,**Case Officer:** Clare Martin**Description:** The erection of a dwelling to replace an existing mobile home

Particular Site Constraints?	Yes ☐	No ☐
• Outside of the Urban Edge (Countryside) • Adjacent to SINC (site of nature conservation) • Not within Solent Mitigation and Disturbance Zone • Not within New Forest Mitigation and Disturbance Zone		

Planning History?	Yes ☐	No ☐
<u>Application site</u> • F/23/95179 - Erection of 1no. five bedroom dwelling following removal of the mobile home – Refused (July 2023) • F/17/80565 - Erection of 1 no. detached 3 bed dwelling, following the removal of mobile home and change of use of open countryside to the north and east to residential domestic curtilage – Refused (October 2017) & dismissed on appeal (September 2018) • U/13/73559 - Certificate of Lawfulness for existing use: Siting of mobile home for residential purposes– Allowed on Appeal (March 2015) <u>Other applications at Hillview Manor</u> • F/23/95180 - Change of use of land for the stationing of 14no. caravan compliant lodges to be used as holiday accommodation and associated infrastructure – Refused (August 2023) • F/23/95181 - Change of use of land for 10no. residential lodges – Refused (September 2023)		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>1 Comment Letter (Crowd Hill Farm)</u> • Asking why they were not informed of the application. • Querying the Parish Council's response. • Querying the extent of the planning application as there are references to various residential/ tourist lodges that were refused permission in 2023.		
Ecology Officer:	<u>Impact on SINC - Holding Objection (further details required)</u> The Planning Statement by Mark Simmonds Planning Services (June 2024) notes that the new proposal moves the replacement dwelling away from sensitive boundaries, especially the woodland, which is a positive step. It mentions "sufficient distance," but no measurements have been given. A Preliminary Ecological Appraisal (PEA) (by Weddells, November 2024) has been submitted which covers three planning applications within the wider site of Hillview Manor Park (1.31 ha). This makes it more difficult to extract the appropriate information specific for this		

application. What is the shortest measured distance between the woodland edge and the dwelling in this proposal?

The woodland buffer was a concern under the previous application F/23/95179. The Ecology response (9/6/23) noted *“This site is adjacent to Hill Copse, Fair Oak and Horton Heath SINC which is designated as 1A ancient and semi-natural woodland. A buffer of at least 20 m from the woodland edge would be required to avoid impact on the woodland boundary. It is not clear from the proposed site plan how close the proposed dwelling or residential curtilage would be with respect to the woodland boundary. There is another area of woodland to the south of this site which may also be impacted by this proposal.”*

Reptiles – Holding Objection

It is not clear from the PEA whether this particular area of the wider site has potential habitat for reptiles. The site photos and description imply that this area may be particularly suitable for reptiles. Reptiles have not been included in the Summary of Recommendations table in section 5.2 and there are no records of reptiles in the area, however this may be due to a lack of surveys due to a lack of development adjacent to the site, rather than a lack of reptiles. A reptile survey will be required.

The applicant has requested that ecology assessments be conditioned, but as the presence of protected species and priority habitats is a material consideration and may affect the plans, this information must be provided before determination and cannot be conditioned.

Bats - No objection

This site has been shown with outbuildings in addition to the main dwelling. The UK Habs baseline plan shows three buildings in this area. A range of outbuildings are shown in the wider site PEA and other than B1 the lodge on a brick base with a timber deck, the specific outbuildings for this application have not been identified in the report. All of the buildings have been assessed as having negligible bat roost suitability. Some of the sheds may be used as feeding perches due to the site having moderate suitability to support foraging and commuting bats. Please attach a bat informative.

Nesting birds – No objection

The buildings, hedgerows, trees and dense scrub have been assessed to provide cover, foraging and nesting opportunities for birds. Please add bird nesting condition.

Biodiversity Net Gain – More Information Needed

On the application form the applicant has claimed the self-build exemption from the requirement to provide 10% biodiversity net gain. As this dwelling is proposed for a paid site manager rather than being commissioned by an owner-occupier, it is not clear that it would qualify under this exemption. More information is required if we are to consider this exemption. Even with an exemption all applications are required to demonstrate no net loss and some net gain under local plan policy DM11 and NPPF (December 2024) paragraphs 187d and 192 b.

A biodiversity metric showing the baseline habitat value of this specific site has been provided (by Weddles, final check 7/11/2024, no issue date). This site has been assessed at baseline to provide 0.40 habitat units and 0.01 hedgerow units with a decrease in 0.14 units listed in the report (or 0.18 units listed in the metric) habitat units post development (-33.98% or more) and no change in hedgerow units. The report states that 0.18 habitat units would be needed to meet the target of 10% biodiversity net gain on site.

The post development plan shows a loss of mixed scrub at the north of the site which does not appear to be necessary given the position of the replacement building. Mixed scrub and hedgerows can be used as a woodland buffer around the site boundaries to provide additional onsite biodiversity area and hedgerow units. By reducing the amount of scrub lost it may be possible to provide 10% biodiversity net gain on site.

Mitigation/ enhancements – No objection

The PEA recommends reasonable avoidance measures to protect wildlife that might be using the site, a CEMP, an Ecological Enhancement Plan, a wildlife sensitive lighting plan, and a Japanese knotweed removal plan (treatment should start immediately, see end of response). These can all be conditioned.

The addition of two areas of green roof are positive enhancements. The addition of flowering plants and shrubs in the garden around the house would provide additional resources for pollinators and food for birds and other wildlife.

The new building must be enhanced for protected species with at least one bat box, swift nest box, sparrow terrace or similar bird nest box. If the building is not suitable, bat and bird boxes can be added to mature trees on site.

Surface Water Drainage – More Information Needed

The Surface Water Drainage Strategy for single dwelling and access road by EWE Associates (January 2025) shows surface water in blue collected from the drive (SWPPIC manhole), running down a pipe under the road and into a feature labelled 1 m deep pond. From the pond it is shown entering a ditch/watercourse.

Further information is required on forms of filtration, pollution mitigation and permeable paving if this is feasible. The drainage strategy must explain how this system meets the water quality requirements of DM6 for above ground forms of filtration and the pollution hazard mitigation using the simple index approach in the Ciria SuDS manual. Exceedance flow routes must be shown on the plan.

Japanese Knotweed – Comment

The report has identified 3 stands of Japanese Knotweed (*Fallopia japonica*) on the wider site at grid references SU 48781 20509, SU 48823 20497 and SU 48836 20520 respectively. Japanese knotweed removal must be acted upon straight away, as it can take several years to be eradicated, requires repeated treatments and precautionary working methods so that it is not inadvertently spread during before, during or after construction. Any progress towards

	eradicate on of Japanese knotweed on the wider site must be reported to the LPA.
Tree Officer:	<u>No objection</u> The area immediately surrounding the proposed dwelling is vegetated but there are no significant trees.
Transport Officer:	<u>Comment</u> HCC's Highway Standing Advice should be referred to in the first instance, as the proposal is under five dwellings. However, it is noted that adequate space for parking is proposed, with turning space available to enable forward gear access and egress onto the highway. The proposals also involve a replacement of one single dwelling with another single dwelling, and as such it would not be anticipated that trip rates will increase.
Parish Council:	<u>Comment</u> The Parish Council's previous comments still stand in that the site is outside the urban edge and the application contrary to Policy. The dwelling would be in a very visible spot. The amended design is smaller and more in keeping. However, if the expansion of the site is refused (separate application) then we query the need. If granted we request that permission is under a tied condition to the chalet business.

Site Visit:	Yes ☒	No ☐
Details:		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."</i>

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1 (delivering sustainable development), S2 (approach to new development) and S5 (new development in the countryside) ; and Development Management policies DM1 (delivering sustainable development), DM2 (environmentally sustainable development), DM6 (sustainable drainage), DM11 (nature conservation), DM13 (transport & access), DM14(car parking), DM26 (residential extensions and replacement dwellings in the countryside), DM29 (dwellings with higher access standards) & DM30 (internal space standards). Supplementary Planning Documents: Quality Places; Trees and Development & Residential Parking Standards

Assessment:

Principle:

The site is located outside of the urban edge, in an area of countryside, where the principle of new housing development is not acceptable (except in the case of rural workers dwellings). While Policy DM26 makes provision for the replacement of dwellings within the countryside, criteria 2 states that permission will not be given for the replacement of mobile homes with permanent dwellings.

The existing building was described as a mobile home under the certificate of lawfulness, which was allowed in 2015. While the existing building has a mains connection and outdoor decking this is not uncommon for mobile homes and the main structure still retains a degree of movability (as defined within the Caravan Sites and Control of Development Act 1960). Furthermore, the size of the building conforms with the twin unit caravan sizes (20m by 6.8m by 3.05m) and the nature, materials, design and appearance of the building is typical of a mobile home rather than a conventional dwelling. As such the principle of replacing the existing mobile home with a dwelling is not acceptable.

It is noted that the proposed dwelling would be for the manager of the residential caravan site and would replace an existing mobile home that had previously been used for this purpose. However, the supporting statement does not clearly demonstrate why it is necessary for the manager of the existing caravan park to live at the site, which contains permanent residential properties. The statement hints at the Applicant's intention to expand the site to accommodate holiday lodges, but no planning permission has been secured for this element, and it may not be forthcoming. The statement also doesn't explain why the existing mobile home is no longer suitable to accommodate the site manager. On this basis, it is not considered that there are sufficient material considerations that would warrant a decision otherwise in accordance with the development plan.

Impact on the Countryside

Policy DM1 requires development to take full and proper account of the context of the site including the character, appearance of the locality, and be well integrated with these (in terms of mass, scale, materials, layout, density, design and siting), both in itself and in relation to adjoining buildings, spaces and views.

Policy DM26 also requires replacement dwellings within the countryside to be proportionate in size to the existing dwelling and be on the same footprint (unless environmental reasons indicate otherwise).

The existing mobile home is a single storey building (with a floorspace of 52m²) and its low roof, small size and muted external materials means that it sits unobtrusively within the landscape. The existing lodge sits at the rear of the site in a significantly elevated and exposed position relative to both Winchester Road and the land to the east and north from which the proposed development would be apparent.

The proposal is a resubmission of two previously refused schemes, each replacing the existing mobile home with a two storey detached house of different designs (F/17/80565 & F/23/95179). These schemes were refused due to the principle of creating a new dwelling within the countryside and the impact this would have on the character and appearance of the locality, with the later scheme also being refused due to its impact on protected/notable species and the lack of biodiversity net gain.

Application F/17/80565 was also dismissed at appeal with the Planning Inspector concluding that *"the replacement dwelling would be considerably taller, wider and deeper than the existing structure, which would result in significantly greater mass and scale. This would produce a substantial building with a greater physical and visual presence. This site*

is on rising land and is particularly visible from longer distances to the north from where the larger building would have a significantly greater impact particularly when seen through the gaps in the trees ... The resulting visual impact would detract from the rural appearance and would therefore harm the character of the site and its surroundings."

The current proposal is an improvement on the previously refused schemes, in that the replacement dwelling has been scaled down to a single storey building. The design of the dwelling also uses a mixture of smaller elements and has natural materials, including the addition of a green roof.

However, while the size of the dwelling has been reduced from the previous structures it would still represent a substantial four bedroomed property. At a floor area of 175m², it would be more than three times the size of the existing mobile home (and well above the 120m² limit for rural workers dwellings under Policy DM26). Therefore, while its height is comparable to the existing structure, the width, depth and overall massing of the replacement dwelling is significantly larger.

Furthermore, the dwelling would be sited in an elevated position within a gap in the tree line where the larger building would be more readily apparent from Winchester Road. It is considered that the nature and massing of the permanent residential dwelling would be more visually prominent than the existing smaller structure. The proposal would therefore have a detrimental urbanising impact on its countryside location and be contrary to Policies DM1 & DM26.

Ecology

Policy DM11 states that development will not be permitted if it is likely to have a direct or indirect adverse effect on priority habitats, protected or priority species, or on the local ecological network unless it can be demonstrated that a) there are no alternative solutions, b) the adverse impact are unavoidable, c) measures are taken to mitigate or compensate for the adverse effects. d) there is an overall biodiversity net gain.

A preliminary ecological assessment has been provided, which indicates that the existing building is not suitable for bats. However, the site photos and description within the report indicate that the site maybe particularly suitable for reptiles. No reptile surveys have been provided and without further investigation/ mitigation it is possible that the proposal will have an unacceptable impact on this protected species. Due to this lack of information the proposal is contrary to Policy DM11.

Access and Car Parking

Policy DM13 requires that all new development has a safe and convenient access to the highway network, with Policy DM14 requiring three on site car parking spaces to be provided for new dwellings with four or more bedrooms.

Although not labelled on the site plan, the site is of a sufficient size to accommodate three car parking spaces with manoeuvring space to enable forward gear access and egress onto Winchester Road. The proposal will replace the existing mobile home and is not anticipated to result in a noticeable increase in cars using the site access or pose an additional highway safety risk.

Living Conditions

Policies DM1 & DM30 requires all new dwellings to provide a good living environment for their future residents and to meet the Nationally Described Space Standards. Quality Places SPD also stipulates that all new residential developments have to provide an outdoor amenity space of at least 60% of the dwellings floor space.

The single storey dwelling has a floor space of 175m², which easily exceeds the 90m² to 117m² required for a four-bedroom property. The bedrooms are of a generous size and

room is provided for storage. While the site plan does not show a garden, there is sufficient space around the property to create a reasonable private amenity space that would meet the Council's standards.

Residential Amenity

Policy DM1 amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents. Additional residential amenity guidance is provided within the Council's Quality Places SPD.

The single storey dwelling would be a good distance away from other residential properties so as not to unacceptably impact their amenity (in terms of a loss of light, outlook or overlooking). The development accords with the residential amenity guidance set out in the 'Quality Places' SPD.

Biodiversity Net Gain

The National Planning Policy Framework requires all new dwellings to demonstrate a 10% biodiversity net gain (unless it qualifies for an exemption). Furthermore, Policy DM11 requires the Council to promote the net gain of biodiversity on all developments, through the protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.

The Applicant intends the replacement dwelling to be a self-build and it is reasonable to assume this will be the case. As a self build dwelling the proposal is not required to demonstrate the full 10% biodiversity net gain, although an overall net gain in biodiversity is still required under Policy DM11.

The development would entail a loss of mixed scrub at the north of the site (as shown on the post development plan). However, this does not appear to be necessary given the position of the replacement building, and if this was retained then it would be possible to achieve a biodiversity net gain. The proposed green roof is a positive addition and further ecological enhancements could include additional flowering plants and shrubs in the garden, mixed scrub and hedgerows around the site boundaries, a bat box, swift nest box, sparrow terrace or similar bird nest box. It would be possible to condition the retention of the scrub and the necessary ecological enhancement had the application been permitted.

Trees and SINC

Policy DM1 requires development not to result in the loss or damage of important trees or woodland. The area immediately surrounding the proposed dwelling is vegetated, but contains no significant trees. The edge of the site is around 30m from the edge of the Hill Copse ancient woodland & SINC, well outside of the 20m buffer. No objection has been raised by the Tree Officer and the proposal is not considered to have an unacceptable impact upon trees or the SINC.

Drainage

Policies DM3 and DM6 of the Eastleigh Borough Local Plan (2016-2036) stipulate that new dwellings must have a sustainable drainage systems with up to three forms of filtration (depending on the size of the site). Naturalised filtration should be used where feasible.

The proposal includes a surface water drainage strategy covering the dwelling and its access road. The scheme involves surface water run off being funnelled into a pipe running under the access road into a 1m deep pond, from which the water enters a ditch/watercourse. While no information has been provided on the forms of filtration or pollution mitigation to be used, it would be possible to provide a sustainable drainage

system at the site. As such the required drainage information could have been conditioned had the application been permitted.

Impact of SPA:

The proposal will not increase the number of residential units on the site and as such will not result in a detrimental impact on the Special Protection Area, in terms of an increase in nutrients

Equalities Act:

Section 149 of the Equalities Act 2010 created the public sector equality duty.

Section 149 (1) 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 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 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 plan 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.

The NPPF aims for the need for housing to be met, and Policy S2 of the Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Adopted 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.

Conclusion:

Recommendation:

PERMIT ☐

REFUSE ☒

Comments ...