

# DELEGATED OFFICER REPORT

**Application Ref:** H/24/98251

**Site Address:** FREEHILLS LODGE, DODWELL LANE, BURSLEDON,  
SOUTHAMPTON, SO31 1AB

**Case Officer:** Dorothy Hei-Tung-Hoh

**Description:** Proposed new garden studio

|                                                                                                                                                  |                                                |                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------------------------|
| <b>Particular Site Constraints?</b>                                                                                                              | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>• Outside of the Urban Edge</li> <li>• Within Designated Countryside</li> <li>• Settlement Gap</li> </ul> |                                                |                                    |

|                                                                                                                                     |                                                |                                    |
|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------------------------|
| <b>Planning History?</b>                                                                                                            | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>• Z/38734/000/00 – Two storey extension and new garden room - Permit - 23/05/2002</li> </ul> |                                                |                                    |

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                             |                                           |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-------------------------------------------|
| <b>Publicity:</b> | <b>Letters</b> <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Site Notice</b> <input type="checkbox"/> | <b>Newspaper</b> <input type="checkbox"/> |
| Representations:  | <p>Two representations have been received in relation to the application: one comment and one objection.</p> <p>The comment raises concerns about vehicles parking at the junction with Dodwell Lane, which has previously restricted access to the driveway serving seven properties and compromised safety due to limited visibility and heavy traffic. The respondent requests that conditions be imposed to ensure unrestricted access both during and after construction, including on-site parking provision and controlled delivery times.</p> <p>The objection refers to the frequent parking of visitors at the entrance to Dodwell Lane, which already obscures visibility and restricts access. They are concerned that this issue will be exacerbated by contractor vehicles during the construction period.</p> <p>They also raise concerns about potential noise from the proposed studio and its impact on their residential amenity.</p> |                                             |                                           |
| Parish Council:   | No objection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                             |                                           |
| Ecologist:        | <p><u>24/02/2025 (Summarised)</u></p> <p>No further surveys are required unless any great crested newts are found on site.</p> <p><u>19/02/2025 (Summarised)</u></p> <p>The precautionary working method is fine. No further concerns.</p> <p><u>12/02/2025 (Summarised)</u></p> <p>A precautionary working method will be sufficient. We will not require the eDNA testing in this case. Even if great crested newts were using the nearby ponds, the location within a walled garden, the presence of</p>                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                             |                                           |

|               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               | <p>free ranging chickens and short mown grass in this area would deter them from the area impacted by this proposal.</p> <p>A precautionary working method must be submitted/agreed.</p> <p><u>31/01/2025 (Summarised)</u></p> <p>E-DNA testing will be done to determine whether great crested newts are present /absent from the pond on-site. There is also a pond on the map approximately 54 m to the east of the site which should also be checked with a habitat suitability index assessment done.</p> <p>Natural England's window for eDNA testing is only between 15 April and 30 June but should be done at the first opportunity to avoid missing the timing for follow-up surveys in mid-April to mid-May.</p> <p>If great crested newts are present in the on-site pond, then further survey work is required to assess population size for a mitigation license from Natural England at least 3 of the six required surveys must be done in the peak breeding season which is between mid-April to mid-May. If this schedule is not followed the application will need to be delayed until the start of the next great crested newt survey season in 2026 or the district level licensing scheme may be an option.</p> <p>Further survey work for great crested newts including eDNA testing on the pond must be done before determination and before any site clearance activities as the presence of protected species is a material consideration and if there are any great crested newts using the on-site pond or the pond within 54 m of the site, a mitigation license will be needed.</p> <p>If any exterior lighting is required, a lighting plan can be conditioned, as described by section 16.1. This must show the garden boundaries and woodland areas and the locations of bat boxes to ensure that these areas are not illuminated by more than 1 lux.</p> <p><u>30/10/2024 (Summarised)</u></p> <p>A preliminary ecological appraisal (PEA) is required.</p> <p>Biodiversity enhancements will be required in accord with Local Plan policy DM 11 and NPPF paragraph 180. The ecological consultant who conducts the PEA should recommend the most appropriate enhancements and include a precautionary working method to protect small animals in the report.</p> <p>Surface water drainage information is also required. The Proposed Elevations show black plastic rainwater goods specified, but no further drainage information has been provided.</p> <p>The Proposed Elevations also shows the building set below the ground levels on several sides. The root protection zone of tree T4 appears to intersect with the building on the south west corner and on the Proposed Elevation plan the south elevation shows level changes in that area. Further information is needed about how the building is proposed to be constructed to avoid any impacts on protected species, trees, and surface water drainage on the site.</p> |
| Newt Officer: | <u>03/03/2025 (Summarised)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>I have looked through the attached precautionary method statement and think that it is sufficient for these works.</p> <p><u>17/02/2025 (Summarised)</u></p> <p>From reading through the correspondence, it seems like the site is quite low-quality and relatively isolated. Combined with the small scale of works, I am also happy with eDNA not being needed and instead precautionary working measures utilised.</p> <p>Typically, it is good to survey onsite ponds however, given that these works are small and from the extra information the applicant has provided, it seems that precautionary measures would be sufficient.</p> <p><u>11/02/2025 (Summarised)</u></p> <p>I agree with the conclusion of the ecological report and that further information on great crested newts is required to appropriately assess the impacts this development may have on the species. Given the proximity of the onsite pond as well as the larger waterbody located to the east, should great crested newts be present, they may well be present on the site.</p> <p>I support the recommendation for further survey work/ information to be provided on the onsite waterbody.</p> <p>Therefore, in line with the guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, March 2021), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must either:</p> <ul style="list-style-type: none"> <li>• Provide further information on the waterbodies with ecological connectivity to the site especially the pond located onsite, in line with Natural England's Standing Advice, to rule out impacts to great crested newts*, or demonstrate how any impacts can be addressed through appropriate mitigation/compensation proposals</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through Eastleigh Borough Council's District Licence. This method of licensing often removes the need for survey work and onsite mitigation for great crested newts as it provides compensation habitats off site. This would provide certainty to the applicant, as their licensing route can be determined within 10 working days at any time of the year (more details can be found at <a href="http://www.naturespaceuk.com">www.naturespaceuk.com</a>)</li> </ul> |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                         |                                                |                                    |
|-----------------------------------------|------------------------------------------------|------------------------------------|
| <b>Site Visit:</b>                      | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| Details: 24 <sup>th</sup> October 2024. |                                                |                                    |

|                                                                          |
|--------------------------------------------------------------------------|
| <b>Policy:</b>                                                           |
| <b>National Planning Policy Framework<br/>Planning Practice Guidance</b> |

**Development Plan:**

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1, S2, S5 and S6; and Development Management policies DM1, DM2, DM11, DM14 and DM26.

**Supplementary Planning Documents:**

Quality Places; Residential Parking Standards; Character Area Appraisals.

**Assessment:****Site context and surroundings**

The application site comprises a detached dwelling set within a generous plot, accessed via a private drive extending from Dodwell Lane, a public highway. Located within the countryside and a designated settlement gap, the surrounding area is predominantly rural, characterised by extensive greenery and a small number of detached properties spread out across the landscape. A field lies opposite the site, further contributing to its rural setting.

**Proposal**

The application seeks planning permission for the erection of a single storey detached garden studio within the rear garden of Freehills Lodge, intended to serve as an ancillary artist's workspace. The proposal includes an external decking area supported by timber beams. The studio would have a rectangular footprint of approximately 7.0m by 5.0m, with a pitched roof finished in slate tiles and a maximum height of around 4.0m. It would be constructed with horizontal timber cladding, stained black, set on brick piers, and would incorporate solar panels on the southern roof slope.

**Policy and Principle**

- The application site lies outside the urban edge and is within designated countryside. Here, the basic principle of development is not usually considered acceptable unless for justifiable agricultural, horticultural or recreational purposes, or for residential extensions as supported by Policy DM26. Strategic Policy S5 also restricts development in the countryside principally in order to maintain its rural character and to limit urbanisation.
- The site also lies within a settlement gap. Strategic Policy S6 restricts development within the settlement gaps unless the development does not undermine the visual separation of settlements and would not have an urbanising effect detrimental to the character of the countryside or the separate identity of the adjoining settlements.
- Policy DM26 of the Eastleigh Borough Local Plan (2016-2036) allows extensions and minor works to existing dwellings in the countryside that are not subject to an agricultural occupancy condition and are not likely to result in subdivision of the plot. The policy requires that new extensions would not be disproportionate in size to the existing dwelling, neighbouring properties or in relation to its plot.

**Layout, design, and impact upon the character of the area**

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible in terms of mass, scale, layout density, design, and siting.

- The proposed garden studio's location within the rear garden ensures that it is well-screened from the public realm, including Dodwell Lane and the private drive. Moreover, it was observed during the site visit that the site is surrounded by dense greenery, including mature trees, shrubs, and vegetation, which provide a natural buffer, making the development largely imperceptible from public vantage points. As such, the proposal is not considered to result in any visual harm to the surrounding area, thereby preserving the openness of the settlement gap and the rural character of the locality.
- Additionally, while the proposed studio is relatively large in size, the plot is generous enough to accommodate this scale of development. Sufficient amenity space will still be retained, ensuring no overdevelopment occurs.

### **Impact on residential amenity**

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
- Concerns raised regarding potential noise are noted, with a neighbour highlighting that the inclusion of bi-fold doors on the northern elevation may increase noise levels. However, it is considered that the proposed studio would be positioned at a sufficient distance from neighbouring boundaries, and the dense greenery surrounding the site would serve as a natural acoustic buffer, helping to mitigate any potential noise impact. Furthermore, the studio is intended to function as an ancillary space for the applicant's personal use, and there is no evidence to suggest it would generate noise levels beyond those typically associated with a residential setting. To ensure this, a condition can be imposed restricting the use of the studio to purposes ancillary to the main dwelling.
- The separation distance and existing boundary treatments would also ensure that the proposed structure does not result in overlooking, loss of light, or an overbearing impact on adjacent properties.

### **Ecology**

- Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) stipulates that the Borough Council will work with statutory and voluntary agencies and developers to; protect, conserve and enhance areas subject to international, national and local nature conservation designations, and promote the net gain of biodiversity on all sites through the protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.
- The application site lies within an ecologically sensitive area, with lowland mixed deciduous woodland priority habitat to the east, a pond 54m to the east, a stream 53m to the west, and a record of great crested newts 172m to the south, placing the site in an amber impact risk zone for this protected species. Records of bats, hedgehogs, badgers, dormice, reptiles, and breeding birds are also noted nearby. Therefore, the Council's ecologist and newt officer were consulted, initially advising that a Preliminary Ecological Appraisal (PEA) was required.
- The applicant subsequently submitted an Extended Phase 1 Ecological Assessment by Phillips Ecology (January 2025), which identified suitable on-site habitat for foraging/commuting bats, hedgehogs, badgers, dormice, reptiles, great crested newts, and breeding birds. The report highlighted an on-site pond with average suitability for great crested newts (based on a Habitat Suitability Index assessment) and recommended eDNA testing of both the on-site pond and the pond 54m to the east to determine the presence of great crested newts. However,

the applicant provided additional site-specific information, noting the studio's location within a walled garden, the presence of free-ranging chickens, and short-mown grass, which would likely deter great crested newts from the impacted area. The Council's ecologist and newt officer reviewed this information alongside the Ecological Assessment and the small scale of the proposed works, concluding that a precautionary working method would be sufficient, and eDNA testing would not be required in this instance.

- The applicant then submitted a Precautionary Method Statement, which both the ecologist and newt officer have confirmed as acceptable, raising no further ecological concerns. Accordingly, the proposal is considered to have an acceptable ecological impact, subject to adherence to the agreed precautionary measures.

### **Highways and parking**

- Policy DM14 of the Eastleigh Borough Local Plan (2016-2036) requires residential development to provide off-highway parking which is adequate in terms of highway safety/traffic management.
- Neighbours have raised concerns regarding parking and access, particularly the potential for contractor and delivery vehicles to block the private drive serving Freehills Lodge and seven other properties, including a care home, during construction. Specific objections highlight past instances of vehicles parking at the intersection with Dodwell Lane, restricting access and exacerbating safety risks due to poor visibility and busy traffic.
- These concerns are acknowledged. However, it is considered that the revised Construction Management Plan (CMP) submitted by the applicant adequately addresses the concerns. The CMP designates an existing parking area north of the main house, explicitly stating that all such parking will remain within the property boundaries and not spill onto Dodwell Lane or affect neighbouring properties. Most deliveries will utilise the contractor's own trailer, stored on-site, minimising external vehicle movements. The appointed contractor is also aware of the need to keep the private drive clear, ensuring unrestricted access throughout the build.
- Additionally, given the scale of the proposal, and existing on-site space appears adequate, it is considered that post-construction parking will not significantly increase. Subject to a condition requiring strict adherence to the CMP, the proposal is considered acceptable in terms of parking provision and access management, balancing neighbour concerns with the development's modest impact.

### **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.*

*The NPPF, Policies S1, DM2 and DM3 of the 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.*

**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:**

Permit subject to conditions.

Recommendation:

**PERMIT** ☒

**REFUSE** ☐