

DELEGATED OFFICER REPORT

Application Ref: H/25/99241

Site Address: BROADOAK STABLES, MORTIMERS LANE, FAIR OAK, EASTLEIGH,
SO50 7EA

Case Officer: Gregg Chapman

Description: Proposed vehicular access from Mortimers Lane for Existing Bungalow at
Broad Oak Stables together with gates and piers.

Particular Site Constraints?	Yes ☒	No ☐
Countryside TPO 67E Surface Water Flooding Strategic Growth Residential-Led Mixed Use Development Area Boundary Proposed Strategic Footpath/Cycleway/Bridleway		

Planning History?	Yes ☒	No ☐
Relevant History; F/12/71002 - Replacement of mobile home with detached 2-bed bungalow and associated parking, bin and cycle store (amended design) - Approved, 01.03.13 X/15/77042 - Variation of conditions 7 & 8 of planning permission F/12/71002 for replacement of mobile home with detached 2-bed bungalow and associated parking, bin and cycle store to allow code level 4 requirements for water & energy only – Approved 28.09.2015. LDC/23/94772 - Lawful Development Certificate for an existing use: The erection of a dwelling house not in compliance with planning permission F/12/71002 and occupancy C3 residential use for a continuous period in excess of 4 years – Certificate Issued, 09.05.23.		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None		
Parish Council:	No Objection but agree with comments made by Hampshire Highways.		
HCC Highways	No objection		
Ecology	Objection The proposed access would require removal of a section of hedgerow habitat and result in a net loss of biodiversity. This hedgerow is shown on HBIC hedgerow layer and is connected to other hedgerows which connect with Park Hills Wood SINC (1A), Tippers Copse SINC(1A), Gore Copse SINC (1A), Stroud Wood, Fair Oak and Horton Heath SINC (1A/1B) and Hall Lands Copse SINC (1A). These are all designated as containing ancient woodland. The hedgerow has the potential to provide habitat for nesting birds, dormice and other animals and as a foraging resource for bats. There are records of badgers and bats in this area with records of dormice in the wider area. This objection could be overcome by the creation of additional hedgerows and filling in gaps in existing hedgerows to provide connectivity for animals moving around the site and between the SINCS. Additional hedgerow creation would provide some biodiversity net gain also. A precautionary working method to protect badgers, nesting birds and dormice would be required.		

Site Visit:	Yes ☒	No ☐
Details: 13/05/2025		

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, S3, S5; and Development Management policies DM1, DM2, DM5, DM11 and DM13.

Supplementary Planning Documents:

Quality Places.

Assessment:

Principle of Development

The proposal involves creating a new vehicular access to an existing residential bungalow at Broad Oak Stables, Mortimers Lane. Strategic Policy S1 supports sustainable development that contributes to economic, social and environmental objectives, while Policy S5 permits development in the countryside only where it is appropriate in location and scale and respects its rural setting. Given that the proposal does not seek to introduce new residential development but rather improve access to an existing dwelling, it is consistent with the principle of maintaining the countryside's function without urbanising its character.

Access

The proposed access arrangement has been reviewed by the Highway Authority, who have confirmed that there is no objection to the proposals from a highway perspective. The new access utilises a short extension to an existing shared crossover, requiring limited alterations to the highway verge (which is formed of a boundary hedgerow). The visibility that will be formed at the access point is deemed acceptable, and the proposed gates are located at least 6.0 metres back from the edge of the highway, meeting the design standards expected under Policy DM13, which seeks to ensure safe and convenient access.

However, it is noted that a telegraph pole near the access may obstruct vehicle movement. While this is not currently detailed in the application plans, the issue would need to be addressed via the required Section 184 agreement with the Local Highway Authority. Furthermore, if any unshown drainage features are found at the access location, additional Ordinary Watercourse Consent and potentially a Section 278 agreement may be necessary. These procedural elements do not preclude the development but would need to be secured post-permission. These matters are to be added as an informative note.

The proposed design demonstrates compliance with visibility and setback standards, and accords with Policy DM13.

Ecology

Strategic Policy S1 and Development Management Policy DM11 seek to ensure that development conserves and enhances biodiversity, and avoids or appropriately mitigates harm to ecological features. The proposed access will involve the removal of a section of

hedgerow to facilitate vehicle entry. As a result of the removal of hedgerow, the hedgerow to the west, up to the neighbouring access would be truncated.

The Council Ecologist has confirmed that the hedgerow is of importance, has good connectivity to important nature conservation sites, including ancient woodland, and has the potential to provide habitat for nesting birds, dormice, and foraging for bats.

The proposal as submitted would, therefore, result in a net loss of protected species habitat and important hedgerow. This is not just at the access, but by virtue of the insertion of a gap in the hedge, the hedge to the west up to the next access would become truncated and would lose any value as connected habitat.

The Council Ecologist objects to the application, but advises that replacement planting to mitigate and compensate for the lost habitat (the removed hedgerow and truncated hedgerow), connecting to the existing habitat, could address the harm.

The Applicant has indicated a willingness to carry out some planting, but the location and extent of planning has not been agreed during the course of the determination, and therefore, whilst this matter can be addressed, it is not, and will therefore need to be addressed outside of the application determination, through condition. Subject to such a condition to secure suitable replacement planting (of which there is significant space to do so), which is considered necessary, relevant, related to planning, related to the development in scale and kind, enforceable and precise, the proposed loss of habitat to form the access can be accepted. This ensures compliance with policy DM11 of the Eastleigh Borough Local Plan 2016 – 2036.

It is noted, and agreed, that the section of hedgerow could be carried out without planning permission as it relates to a household, but it is an existing hedgerow, and its removal is required as a direct result of the proposed development and would be a consequence of development.

Other Matters

- The development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.
- There will be no adverse impact upon trees worthy of retention.
- There are no likely significant impacts on the SPA.
- The proposal would not prejudice the development of the adjacent allocated housing development site.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

Equalities Implications:

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

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion

The proposal for a new vehicular access to the existing bungalow at Broad Oak Stables is acceptable in principle and design. It complies with strategic and development management policies relating to the countryside, highway safety, and ecology. The highway authority has confirmed no objection, and ecological impacts are minimal. Subject to appropriate conditions and the securing of necessary highway consents, the proposal accords with Policies S1, S3, S5, DM1, DM2, DM5, DM11, and DM13 of the Eastleigh Borough Local Plan 2016–2036.

Conclusion:

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...