

DELEGATED OFFICER REPORT

Application Ref: H/25/99420

Site Address: OAK COTTAGE, ALLINGTON LANE, FAIR OAK, EASTLEIGH, SO50 7DB

Case Officer: Dorothy Hei-Tung-Hoh

Description: Extension to existing ancillary outbuilding and the erection of an additional incidental outbuilding.

Particular Site Constraints?	Yes ☒	No ☐
Outside the Urban Edge – Countryside		

Planning History?	Yes ☒	No ☐
Z/36426/000/00 - Two storey side extension - Refuse Planning Permission For - 25/01/2000		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	No comments received.		
Parish Council:	No comments received.		
Ecologist:	The Council's Ecologist raised no objection to the development. Surface water drainage remains within the site, and while the presence of a pond was noted, no ecological harm has been identified.		
Hampshire Countryside Service:	General information, no comments specific to application. There are specific legislative requirements for the Highways Authority, Planning Authority, Developers and Landowners with respect to the PROW network. Where no changes are proposed to Public Rights of Way, the Planning Authority shall be aware of the following, and we request that the applicant is made aware of the following requirements through informatives where appropriate. Informatives: - Where Public Rights of Way are close to application sites or are used for access to the development site, they must be shown on the submitted plans with details of how they will be accommodated within the proposals. Government guidance requires that applications should not be validated unless such information has been submitted. - Nothing connected with the development, or its future use, shall have an adverse effect on the Public Rights of Way, which must always remain available for safe public use at all times. - No vehicles (including builder's and contractor's), machinery, equipment, materials, spoil, scaffolding, or anything else associated with the works, use, or occupation of the development, shall be left on or near to a Public Right of Way as to cause obstruction, hindrance, or a hazard to the legitimate users. The public retain the right to use the PROW at all times.		

	4. The grant of planning permission does not entitle developers to obstruct a public right of way. The diversion or stopping up of footpaths, bridleways and restricted byways is a separate process, which must be carried out before the paths are affected by the development. It cannot be assumed that because planning permission has been granted that an Order under section 257 of the TCPA (1990) will invariably be made or confirmed. Development, in so far as it affects a PROW, must not be started and the PROW should be kept open for public use, unless or until the necessary order has come into effect. 5. All vehicles that would be legitimately accessing the site via a Public Right of Way should give way to public users, which could include horse-riders and cyclists, at all times. In cases with legitimate vehicular access a Construction Traffic Management Plan (CTMP) should be submitted to, and approved by, Hampshire Countryside Service as Highways Authority prior to any approval by the Planning Authority, and prior to commencement, to ensure the protection of public safety. 6. There must be no surface alterations to a Public Right of Way without the consent of Hampshire County Council as Highways Authority. Planning permission under the Town and County Planning Act (1990) does not provide this and separate consent is required. To carry out any such works without this permission would constitute an offence under Section 131 of the Highways Act (1980). 7. No works to the surface of the Public Right of Way shall be carried out without prior approval of the HCS Area Countryside Access Manager. Any damage caused to the surface of the Public Right of Way by construction traffic will be required to be restored to the satisfaction of the Area Countryside Access Manager on the completion of the build.
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Site Visit:	Yes ☒	No ☐
Details: 5 th June 2025.		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1, S2 and S5; and Development Management policies DM1, DM2, DM11, DM14 and DM26. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
<u>Site context and surroundings</u> Oak Cottage is a detached dwelling located at the corner of Allington Lane and Fir Tree Lane, situated within designated countryside. The plot is substantial in size and accommodates the main dwelling, several single-storey outbuildings, a large pond, and an

expansive lawned garden. The property benefits from a good level of screening provided by mature hedging and trees, particularly along the southern and western boundaries. The surrounding area has a rural character, with residential properties generally dispersed and typically occupying substantial plots.

Proposal

This application is retrospective and seeks to regularise development that has already taken place at the site, comprising the extension of an existing ancillary outbuilding and the erection of an additional incidental outbuilding, both situated within the southern portion of the site, adjacent to the main access from Fir Tree Lane.

The extended outbuilding forms part of a large single-storey detached structure located to the south of the main dwelling, which is used for ancillary residential accommodation. The extension provides a kitchen and living area. According to the submitted information, the outbuilding is occupied by the applicant's two adult sons and remains functionally linked to the main dwelling.

The additional outbuilding is used for the storage of bicycles, garden equipment, and other domestic items associated with the residential use of the site.

Both outbuildings are timber-clad. The extension to the existing outbuilding features a sloping felted roof with a ridge height of approximately 2.85m, stepped slightly below the original structure. The incidental outbuilding has a mono pitched roof with a ridge height of approximately 2.60m, falling to 1.85m at the eaves.

Policy and Principle

The application site lies outside the urban edge and within designated countryside, where development is strictly controlled to protect the rural character and prevent unnecessary encroachment. In line with Policy S5 of the Eastleigh Borough Local Plan 2016-2036, new residential development in the countryside is only permitted in exceptional circumstances, such as where it is essential for agriculture, forestry, or other rural enterprises.

Additionally, Policy DM26 sets criteria for residential extensions and replacement dwellings in the countryside, ensuring they do not result in a disproportionate increase in scale or harm the character of the area. Policy DM1 is also relevant, as it establishes general principles for all new development, including the need to respect the character and appearance of the locality.

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 development, due to their single-storey scale, modest height, and timber-clad finishes, appear as subservient structures that are sympathetic to the rural character of the site. Both structures are well screened by existing boundary treatment and are not readily visible from public vantage points along Allington Lane or Fir Tree Lane. As such, the development has a limited visual impact and does not result in any materially harmful effect on the character or appearance of the countryside.
- The extension to the existing ancillary outbuilding is stepped down slightly from the original structure, following the natural ground level. Finished in matching materials, it integrates well with the existing building and does not appear incongruous, maintaining consistency with the established built form on site.

- The additional outbuilding is tucked away in the corner of the plot. Its external materials are in keeping with the adjacent entrance gate and surrounding fencing, and it sits unobtrusively within its setting. Although a small portion of the roof projects above the fence line, it is not visually prominent within the wider street scene.

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.
- Given the rural nature of the surrounding area, residential properties are generally well separated and situated on generous plots. The nearest neighbouring dwellings are located at a considerable distance from the application site, and therefore the development is unlikely to result in any harmful impact on neighbouring amenity.

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 site falls within an amber impact risk zone for great crested newts, and a pond is present within the curtilage of the property. While the Council's Ecologist has suggested opportunities to enhance biodiversity on-site, including planting around the pond and installing wildlife features such as bat boxes, this is a retrospective householder application. As such, it is not subject to the biodiversity net gain provisions, nor is it considered reasonable to impose conditions requiring biodiversity enhancements after development has been completed. Nevertheless, the applicant is encouraged to consider voluntary measures such as the provision of a bat or bird box in accordance with Policy DM11 of the Local Plan.
- The applicant has advised that surface water from both outbuildings drains into a natural soakaway within the site, behind the buildings and along the hedgerow. While this information is limited, the Council's Ecologist has confirmed that, provided runoff does not leave the site, this arrangement is acceptable. Should any future issues of off-site flooding arise as a result of the development, further drainage measures may be required.

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.
- The existing vehicular access from Fir Tree Lane remains unchanged as part of this application. The plot is substantial in size and provides ample space for off-street parking and vehicle turning within the curtilage of the dwelling. As such, the development does not result in the loss of parking provision, nor does it give rise to any highway safety concerns.

Other Material Considerations

- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.

Climate Change:

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

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

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 ☐