

DELEGATED OFFICER REPORT

Application Ref: H/25/100087

Site Address: FOUR WINDS, ALLINGTON LANE, FAIR OAK, EASTLEIGH, SO50 7DD

Case Officer: David Huckfield

Description: Replacement lodge building

Relevant Site Constraints?	Yes ☒	No ☐
Outside of the Urban Edge Within Designated Countryside Existing Residential Property Adjacent to Public Right of Way (Fair Oak and Horton Heath Footpath 14)		

Planning History?	Yes ☒	No ☐
LDC/22/93544 – A lawful development certificate is sought for the annexe shown on the enclosed plans – CERTIFICATE ISSUED (12/10/2022) WIR20079/000 – Extension comprising of lounge and bedroom – PERMIT (1970)		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None received		
Consultation Responses:			
Parish Council	No comments received.		
Ecology	No objection subject to conditions to cover the timing of demolition and vegetation clearance works in the interests of protecting nesting birds, precautionary measures to be followed during demolition and construction, and to require biodiversity enhancement measures to be incorporated into the development.		
Tree Officer	No objection subject to a condition requiring adherence to the submitted Arboricultural Report and the specified tree protection measures.		

Site Visit:	Yes ☒	No ☐
A site visit was undertaken by the Case Officer to review the proposals in context.		

Policy:
Legislative Background: 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: The Development Plan is comprised of the Policies of the adopted Eastleigh Borough Local Plan 2016-2036. The relevant policies to this application are: S1 (Delivering Sustainable Development), S5 (New development in the countryside), DM1 (General Criteria for New Development), DM11 (Nature Conservation), DM13 (General

Development Criteria – Transport), DM14 (Parking), Policy DM26 (Residential extensions and replacement dwellings in the countryside).

Other material considerations:

National Planning Policy/Guidance:

The latest iteration of the National Planning Policy Framework (the NPPF or Framework) was published in December 2024 and, as set out within paragraph 231, 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 (PPG) provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

Assessment:

The proposals are considered to be acceptable and in accordance with the provisions of the development plan for the following reasons:

- The site lies within designated countryside where there is a general presumption against new residential development. Policy DM26 of the Local Plan, however, allows for the extension of existing permanent dwellings in the countryside subject to a number of specified criteria being adhered to. These criteria include any additions not being disproportionate in size to the existing dwelling, the extent of its plot or neighbouring properties, and no additional dwellings being created. The criteria for extensions, whilst not explicitly mentioned within the policy wording, is also considered to be applicable to detached annexes, providing they are ancillary to the main dwelling. Subject to these criteria, which are considered below, the principle of the development proposed is considered to be acceptable.
- The proposals would replace an existing structure on the site which is not dissimilar in footprint or scale. Whilst the pitch of the roof will result in the new building appearing taller, this will only be to a fairly modest degree and any resulting increase in visibility of the structure from the surrounding public realm will thereby be limited in terms of its impacts and will not be of an extent as to be harmful to the character of the area. The external facing materials which comprise of timber cladding, slate roof tiles and dark grey UPVC windows, are considered to be visually appropriate for the countryside location and, accordingly and taking account of these factors, the development is deemed to be acceptable in terms of its layout and design.
- With regards to the use of the structure, whilst it does contain fairly extensive accommodation in the form of two bedrooms, a bathroom, lounge-dining area, and a kitchen, this in itself does not necessarily preclude the use from being capable of being ancillary to the main dwelling and it is noted that the structure shares access, parking and amenity space with the host building. Also, and most significantly in this instance, the type and extent of the accommodation is no different to what is currently in place, with the existing structure benefitting from a lawful use as annexe accommodation. This use can be controlled by condition in order to prevent a separate independent dwelling being introduced in an area of designated countryside, and with this the development is considered to comply with the provisions of Policy DM26 of the Local Plan.
- There are no highway safety concerns associated with the proposals. Access to the site will remain unaltered and there is adequate parking provision available on the site frontage to serve the development.
- The development would not unacceptably impact upon the amenity of the occupiers of neighbouring properties. As set out above, the size, scale and position of the

structure is not dissimilar to the existing, and there is a good degree of separation between the site and the next nearest residential property.

- The development will retain and protect the existing mature trees and hedgerows which are present on the site and its borders, and which currently contribute positively to the character and amenity of the area. The application is accompanied by an Arboricultural Impact Assessment which the Council's Tree Officer has confirmed is satisfactory. No objection has therefore been raised to the application subject to a condition to require adherence to this report and to ensure that the tree protection measures contained therewithin are installed prior to any demolition or construction works commencing on site.
- The application will not unduly affect any protected or priority species. The existing annexe which is to be demolished was assessed as having negligible bat potential within the Preliminary Ecological Appraisal which accompanies the application. Whilst the garage on the site was identified as possessing some Potential Roost Features, this building is now proposed to be retained (as clarified within the Design and Access Statement and shown on the proposed site layout plan) and, accordingly, the Council's Ecologist has confirmed that no further surveys are therefore required. The recommended demolition/construction methodologies to avoid potential harm to protected species can be covered through appropriately worded planning conditions.

Due to the nature of the development proposed and its limited scale, there are also considered to be no likely significant impacts on either local or European designated sites for nature conservation. Whilst, as a householder proposal, the development would be subject to an exemption to the mandatory 10% Biodiversity Net Gain (BNG) requirement, there still remains a local and national planning policy requirement for BNG to be achieved as highlighted by the Council's Ecologist. As such, a condition will be imposed to require the installation of a bat or bird box on the building prior to it being first brought into use in order to satisfy this requirement.

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; (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. 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.

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.

Recommendation:

PERMIT ☒

REFUSE ☐