

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	- Change of use of agricultural field to dog training facilities (Sui Generis) Land at Grange Road Bursledon Southampton SO31 8GD
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SITE VISIT DATE – 06/05/14
ARE PLANS ACCURATE? – yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? – yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks permission for the change of use of the agricultural field to a dog training use. No structures are proposed with this use. Associated parking (overspill car park proposed) and landscaping works (overhanging growth to be cut back) are also proposed. It is proposed that the entrance be cleared of vegetation, excavated and lime stone scalplings laid so as to provide a firm surface for vehicles entering and leaving the field. The boundary to the south of the entrance is of mixed deciduous shrubs and trees and it is proposed that all overhanging growth be cut back and maintained so that visibility is not impeded.
SITE AREA	n/a
RESIDENTIAL DEVELOPMENT DENSITY (NET)	n/a
TOPOGRAPHY	Relatively flat site
TREES	There are a lot of trees enclosing the site, especially along the boundary with Grange Road.
BOUNDARY TREATMENT	Trees, hedging and landscaping along all site boundaries. This treatment is more dense along Grange Road but less so with adjacent field. The site is accessed via a gate off Grange Road.
SITE CHARACTERISTICS	Site is currently an open unaltered field used for dog training with a small car parking area.
CHARACTER OF LOCALITY	Rural setting, site opposite is a recycling centre but remaining area is countryside.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Pre app enquiry Q/13/71965	Change of use of agricultural field to dog training facilities	

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Parish council	No objection, but concerns raised regarding access to and egress from the site
Engineers	No objection. <u>Initial comments:</u> Holding objection - subject to receipt updated visibility splay plans and DC's. Though the existing access is to be utilised, there will be an intensification of its original use as a field access and as such an increase accident risk. As such, a drawing demonstrating the access conformity to visibility standards is required. Whilst Grange Road is a 60mph zone at this point, due to the nature of the road, and the existing conditions, a visibility splay of 2.4m into site (centre access point) by 120.0m left and right (Standards as set by Design Manual for Roads and Bridges for a road where speeds are up to 40mph) is believed acceptable. Presuming this can be achieved, the area within the splay must be clear of vegetation, and be kept as such via the implementation of Condition E10. Failure to retain the visibility would require closedown of the site due to road safety issues. In regard to developer contributions, in line with the HCC Transport Contributions Policy (TCP), where development of a site is expected to increase the associated level of multimodal trips on the highway, developer contributions (of a proportionate scale) should be secured to both mitigate against the additional trips and improve facilities for the trips themselves. In regard to this development, information received to date (this application and pre-app) for an average class day suggests: - up to 3 staff members per day remaining on site = 6 multimodal trips (3 in / 3 out) - up to 20 owners attending on a single day = 40 multimodal trips (20 in / 20 out). This equates to a total contribution of 46 x £230 (single trip cost set in the HCC TCP) = £10,580 (+ indexation) It is however noted that this use takes place on 3 days per week only, and as such in regard to this specific application, given the nature of use proposed, it would be prudent to average the associated trips across the week as a whole. As such, the contribution is recalculated as follows:

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	i) Daily Contribution = £10,580 (+ indexation) x 3 days of opening = £31,740 (+indexation) ii) £31,741 / 7 (days in a week) = £4,534 (+ indexation). As such, the reduced transport contribution being requested is £4,534 (+ indexation). These funds would be allocated to schemes in the local vicinity which are either of benefit to the users of the proposed development, or go to mitigate against issues caused by the development. Full details of identified transport schemes can be provided if required, and can be seen in the Eastleigh Borough Transport Statement http://www3.hants.gov.uk/eastleigh-transport-statement-final-2012.pdf It should however be noted that this request for a transport contribution is on the understanding that the dog training facility has not been in use for a period of 5 years or more. DC Engineer: Eric Reed DC Engineer Comments: The application does not show any access improvement or the cutting back of hedgerow along frontage as discussed with applicant agents. FURTHER COMMENTS FROM APPLICANTS (ER 4/6/14) <u>Objection removed</u> - Ok with applicant's comments to improve access and sight lines.
Policy	No objection. <u>Initial comments:</u> The application refers to land at Grange Road, Bursledon and is currently an agricultural field. The site is located within an area designated as countryside and strategic gap, and is relatively flat and well screened by vegetation. The application seeks a change of use for the land from agricultural field to dog training facilities (sui generis). A car parking area and overspill car parking area are proposed to the north-east end of the site. No information has been submitted relating to materials for the car parking area, and there is no indication that any buildings are proposed to be constructed. Adjacent to the west of Grange Road is the Netley Farm Close Landfill Site of Importance for Nature Conservation (SINC). National planning policies Relevant paragraphs of the National Planning Policy Framework 2012

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	(NPPF) include: • _14 – A presumption in favour of sustainable development, as set out in paragraph 14, is at the heart of the NPPF and underpins its core principles, and its 13 themes • _17 – Core planning principles – bullet 5 – intrinsic character of countryside • _118 – Conserving and enhancing biodiversity. The development plan The current development plan consists of the saved policies of the adopted Eastleigh Borough Local Plan Review 2001-2011: • _1.CO – Planning permission will not be granted outside the urban edge, other than for certain specified uses covered by other policies of the Local Plan. • _2.CO – Planning permission will not be permitted for development which would physically or visually diminish the gap. • _18.CO – landscape impact. • _59.BE – general design and access considerations. Other material considerations –Pre-submission Local Plan 2011-2029 The Pre-submission Local Plan 2011-2029 carries limited weight at this stage prior to examination. The site remains in the countryside and the gap, and the following policies are of particular relevance: S9 – Countryside and countryside gaps DM1 – General criteria for new development Officer comment and conclusions The proposals set out in this application refer to land outside the urban edge, within the countryside and within the strategic gap. The site is currently reasonably screened from the road by shrubs and small trees. Access to the site and an area of car parking has been indicated as part of the submission documents of this application, however it is not clear what the applicants proposals are with regard to the boundary treatments and where the car parking area would grass or, for example, hard standing. Based on the information provided at this stage, it appears unlikely that the proposals will affect the openness of the countryside at this location; however a holding objection is raised on the grounds of lack of information to determine if the development would visually and physically diminish the strategic gap at this location. Conditions should be considered to restrict any potential future re-use of the site to those which are compatible with its countryside location and in accordance with adopted and emerging Local Plan policies. HOLDING OBJECTION <u>Amended plans 09/06</u> Following the correspondence received responding to queries raised by Council officers regarding this application, <u>the holding objection is withdrawn.</u> This application, given the natural screening provided by

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	existing vegetation and materials proposed it is considered not to have adverse effects on the countryside and gap.
Environmental health	No objection

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary Within Strategic Gap Within Landscape Protection Area

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011) 59.BE, 1.CO, 2.CO, 18.CO Revised Draft Eastleigh Borough Local Plan 2011-2029: DM1, S9 Supplementary Planning Document: Planning Obligations
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NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the principle, the impact on the countryside and gap setting and highway issues.

COMMENT ON CONSULTATION RESPONSES

Please see below.

COMMENT ON REPRESENTATIONS RECEIVED

n/a

PLANNING OBLIGATION/CONSIDERATIONS

In accordance with the provisions of National Planning Policy Framework, saved policies 101.T, 147.OS and 191.IN of the Eastleigh Borough Local Plan Review 2001-2011 and supplementary planning document. Planning obligation contributions are sought to offset the impact of the development on local infrastructure. For this development contributions are sought towards Sustainable Transport. The proposed development for the change of use of agricultural land to dog training field will generate the requirement for financial contributions to ensure the appropriate infrastructure is in place to support the development. In line with the HCC Transport Contributions Policy (TCP), where development of a site is expected to increase the associated level of multimodal trips on the highway, developer contributions (of a proportionate scale) should be secured to both mitigate
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against the additional trips and improve facilities for the trips themselves.

Our Engineers have advised that, based on the level of use of the proposed business, a figure of **£4,534 plus indexation** would be required for the development. These funds would go towards road traffic reduction (sustainable transport) measures in the local area which are either of benefit to the users of the proposed development, or go to mitigate against issues caused by the development. Full details of identified transport schemes can be provided if required, and can be seen in the Eastleigh Borough Transport Statement.

The applicant has been made aware of the contributions but is yet to confirm the method of payment sought. Unfortunately, following protracted discussions the applicant has stated for financial reasons of running the business, the reduced sustainable transport contributions cannot be met. Accordingly. This will form a reason for refusal.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"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."

Principle

The site falls within designated Countryside, Strategic Gap and Landscape Protection Area, and as such the following policies (1.CO, 2.CO, 18.CO, 59.BE) of the adopted Local Plan and (S9, DM1) of the emerging Local Plan are applicable. These policies require development to be:

- Appropriate for countryside locations, which includes development necessary for agricultural, forestry or horticultural purposes, outdoor recreational uses, public utility services, extensions to education or health facilities. It also requires any development to meet the other relevant policies and criteria of the local plan (Policies 1.CO and S9).
- Development which cannot be acceptably located elsewhere and which would not physically or visually diminish a strategic gap would not be granted. Requires that development which fails to respect, or has an adverse impact on the intrinsic character of the landscape, will be refused (Policies 2.CO, 18.CO and S9).
- Development must take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes (Policies 59.BE and DM1).

The proposal is considered to comply with relevant Development Plan policies.

The use does not strictly fall under the categories of development permitted in countryside locations by Policy 1.CO. However, by its very nature it is a specialized use which is suited to a countryside location, due to the potential for noise and disturbance that would arise from the dogs exercising in the grounds. The use, due to requiring a certain amount of outdoor space would be more difficult to accommodate within a more built up area, where there would also be the potential for conflict with neighbouring uses/properties.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

There are no structures proposed with the use and the car parking works due to the overall size and choice of materials are not considered undermine the objectives of the strategic gap. Given the natural screening provided by existing vegetation and materials proposed for the overspill car park and access works, it is considered not to have adverse effects on the countryside and gap.

As such, it is therefore considered that an exception to Saved Policy 1.CO is justified in this instance and that the proposals will not physically or visually diminish the strategic gap setting to such a degree as to be unacceptable, and therefore comply with Saved Policy 2.CO of the adopted local plan and Policies DM1 and S9 of the pre-submission local plan.

Highway issues

The plans show the provision of an overspill car park and with the amendments; details of visibility splays and confirmation of works to vegetation have been shown and confirmed. The car park and overspill car park are needed to provide sufficient parking and on site turning for the use. Engineers have removed their objection and on this basis, there is no objection in terms of highway safety.

Conclusion

Notwithstanding this change of use being an acceptable use in the countryside as detailed above, due to the appropriate sustainable transport contributions not being collected, the application is recommended for refusal.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the Revised Draft Eastleigh Borough Local Plan 2011-2029. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

Recommend to refuse.