

(BHH, Bursledon, Hamble-Le-Rice & Hound Local Area Committee, 21st January 2021)

Application Number: H/20/88877
Case Officer: Rachael Morris
Received Date: 29th September 2020
Site Address: The Cottage, Station Road, Bursledon, Southampton, SO31 8AA
Applicant: Mr & Mrs Farrier
Proposal: Removal of existing outbuilding construction of a single storey front extension and detached car port with cycle store

Recommendation: Subject to the consideration of any comments received from the Old Bursledon Action Group (delegated to the Head of Housing and Development in consultation with Members): PERMIT subject to conditions

CONDITIONS AND REASONS:

1. The development hereby permitted shall be implemented in accordance with the following plans numbered: L01, B01, 8501/01, 01 Rev B, 02, 03, 04, 05 Rev A, 06 Rev A, 07, 08 Rev A.

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall start no later than three years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. The materials to be used must match as closely as possible, in type, colour and texture those listed in Section 6 of the application form.

Reason: To ensure a satisfactory visual relationship of the new development to the existing.

4. The development must accord with the arboricultural report reference C.MW.20.0905.AIA Rev B dated 14/12/2020. No excavation, demolition or development related works shall commence until the tree protection fencing and ground protection has been installed as per the tree

protection plan contained within the report. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area. Tree protection measures shall be retained in their approved form for the duration of the work.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

5. Note to applicant: Tree and hedge work should be done outside of bird nesting season or checks must be done within 48 hours of the start of works to ensure that no active bird nests are disturbed. If there are any active bird nests are found work must stop and the nests must be protected from disturbance with a suitable buffer (usually 5m) until after the chicks have fledged.
6. Note to applicant: If any bats are found during construction all work must stop and Natural England must be called. Information on how to contact Natural England can be found at <https://www.bats.org.uk/advice/bat-found-during-building-works>.
7. Note to applicant: Biodiversity enhancement can be achieved by increasing the variety of flowering plants in the garden including night scented plants to attract pollinators.
8. Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (February 2019), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Report:

1. This application has been referred to Committee by members Cllr Tonia Craig, Cllr Steve Holes and Cllr David Airey.

Site Characteristics and Character of the Locality

2. The Cottage is an unlisted building that makes a positive contribution to the character of the zone and is in fact the principal element in the view along most of Station Road on the approach to both Station Hill and the station itself. It is therefore a very important focal point for this area.
3. The primary element of the current building is a generally symmetrical frontage consisting of a central front door under a projecting tiled porch with a cottage style two-light window either side matched at first floor level and a central chimney. To the right-hand end is a forward projecting extension with similar windows, one on either floor at the front and the

whole being under a hipped roof.

4. The space in front of the building also provides an important contribution to the Conservation Area. Due to the orientation and topography of the property which runs parallel to the road, the property's front garden and front elevation holds a prominent view. Additionally, the property's back garden represents a paramount 'green break' in development which also exhibits a strong character.

Description of Application

5. This application is for the removal of an existing outbuilding to construct a single storey front extension and a detached car port with cycle store.
6. The proposed extension is a single storey projection from the front elevation which then turns back and progresses back into the site. The design is made up of a walkway and gable-end feature to the main body of the extension, which is made of mainly glass, timber and aluminium.
7. The application also proposes a car port to the north of the site which will be a hipped roof and also provide a section for cycle storage.

Relevant Planning History

- C/13/72860 - One & two storey front & side addition to provide habitable accommodation & double garage, following demolition of existing outbuilding – Refuse – Oct 2013
- U/14/74862 - Application for a lawful development certificate for a proposed development: Single storey front extension – Certificate issued – Sept 2014 (remains extant)

Representations Received

8. None

Consultation Responses

Bursledon Parish Council:

9. Object on the following grounds:
 - Detrimental impact on the street scene
 - The proposed development is visible from highway railway station exit and neighbouring properties.
 - The mass and design are harmful to the setting within the Special Policy Area / Old Bursledon Conservation Area.
 - Design not in keeping with Special Policy Area and Old Bursledon Conservation Area

Updated – Parish:

10. To be received as an update due to the amended plans

Built Heritage Consultant (9/11/20):

11. Unfortunately there is a valid Lawful Development Certificate in place that would absolutely ruin all this impression and have a seriously detrimental effect on this part of the Old Bursledon Conservation Area, which would be totally contrary to all that is trying to be achieved in maintaining and enhancing these heritage assets for the enjoyment the current population and future generations.
12. The planning policies for the Bursledon Conservation Area limit the size of extensions to existing properties. While this extension exceeds those parameters, somehow there is a Lawful Development Certificate (U/14/74862) for an extension that also exceeds the limit but this one, at about the same size, is of far superior design so should be supported in order to avoid the LDC being implemented and ruining this corner of Old Bursledon.
13. Unlike the LDC proposal this scheme is both sensitive to and respectful of the host building. The prime element of kitchen/living space is of timber frame with a plain tiled pitched roof to match the existing, apart from being gabled rather than hipped but with transparent ends that give a lighter feel. This is linked to the host with a low-key link, again transparent to the front, which attaches to the existing extension and tucks into that corner leaving the existing cottage window intact maintaining the symmetrical feel of the major part of the 'front' elevation.
14. An excellent street scene elevation has been produced by the architects showing the green gap to be maintained between the house with extension and proposed new garage. This structure benefits from having the cycle store to the front taking the pitch down to below hedge level therefore reducing its impact. A pity the tree is going but it is for the best of reasons, nothing lasts forever – perhaps a replacement further up the garden?
15. This scheme is infinitely preferable to the LDC with a low-key elevation to the north and transparent elevations to east and west. The roof lights should be set to have the glass pane level with the finished tiling. No objection.

Updated - Built Heritage Consultant (15/12/20)

16. With this application one must consider it in the most unusual context of there being an LDC (U/14/74862) in place for the most appalling extension which is unfortunately still extant. This is of the most basic conception and consequently would result in a gross carbuncle on the front of this building

which was noted as making a positive contribution to the character of the area in the Old Bursledon Conservation Area Appraisal and Management Proposals adopted in February 2012.

17. The management proposals note the garden forms a green break in the development pattern, making an important contribution visually to the character of the zone with the proposal that 'the LPA will seek to retain the predominately open character of the garden.'
18. The still valid LDC scheme projects some 11.8m in front of the existing building and presents an area of approximately 22m. sq. above the fence and hedge in a single block fixed to the front of the cottage. The current scheme, in either iteration, presents about 7.5m. sq. for the glazed gable, appearing virtually separated from the house and approximately 6m. sq. for the car port on the other side of the property, giving a total of about 13.5m. sq., some 8.5m.sq. less or a nearly 40% reduction of intrusion into the space.
19. There remains a gap of about 12.5m. between the walls of each structure which are both low profile with the roofs sloping away from this, also helping to give the impression of a larger gap. Obviously the slightly lower pitches do help to minimise the intrusion into the gap which for comparison is about equal to the width of No.1 Holmlea, a little more than No. 2 Holmlea and a little less than Calmore.
20. To my mind the objectives of the Conservation Area Management Proposals will be preserved and the LDC scheme prevented with a well-considered design of merit. No objection.

Tree Officer (26/11/20):

21. With regards to the proposed development area, there is only a single tree that is of note: a yew - T1. However, the report also mentions an alder – T2 – to the north of the proposed development area. Both trees provide significant visual amenity to the local area and, the yew in particular are important features in the conservation area.
22. T2 is proposed for removal due to poor physiological condition. The effect on amenity would be significant. However, it is not possible to verify the "smaller leaves than expected" due to the time of year. Indeed, from the photographs presented in the report we would caution the author's conclusion that the tree presents an "unacceptable risk" without evidence to accompany that claim. We do not feel that removal has been suitably justified.
23. The proposed pruning to T1 is not unreasonable in terms of the crown spread, but we would prefer to maintain the height, unless evidence can be provided that a height reduction is arboriculturally justified. I am concerned that the author has suggested that the submission of the report should be used as a Section 211 notice – the earliest decision date on the planning

application is after the six week date of a S.211. I am not in a position to confirm whether a notification such as this is legal, as presumably it has not been validated under that purpose.

24. The principal concern with the proposed development would be the potential effect on the rooting area of T1. The submitted report suggests that no direct impact will occur due to the retaining wall. While this may be correct, no evidence, only conjecture, has been offered to support this claim. Given the significance of this tree, we would have expected more detail to be provided which could demonstrate that no significant harm will occur. In addition, the report – specifically the method statement – makes no account for the possibility that roots may be found during construction, the protection of areas that could contain roots or for any supervision during this time, especially when working close to the retaining wall.
25. It should be noted that we believe that the proposal is potentially feasible, but we do not feel that the provided documentation suitably demonstrates that T1 can be retained successfully. Therefore, we raise an objection to the proposal.

Updated - Trees (15/12/20):

26. We are happy that the report has removed proposals to fell T2 and reduce T1 in height. Also with the removal of mentions to a Section 211 notice and the tree protection plan including the retention of T2, we are happy with this and will attach a condition.

Ecology:

27. After receiving close-up photos of the outbuilding due for removal and close-by trees, it is clear that the bat roost potential of the outbuilding and the trees T1 and T2 are negligible. Therefore I don't think a Preliminary Ecology Assessment or a bat survey are needed for this development.
28. Tree and hedge work should be done outside of bird nesting season or checks must be done within 48 hours of the start of works to ensure that no active bird nests are disturbed. If there are any active bird nests are found work must stop and the nests must be protected from disturbance with a suitable buffer (usually 5m) until after the chicks have fledged.
29. If any bats are found during construction all work must stop and Natural England must be called. Information on how to contact Natural England can be found at <https://www.bats.org.uk/advice/bat-found-during-building-works>.

Bursledon Rights of Way and Amenities Preservation Group:

30. OBJECT

31. *The Cottage* features in the *Old Bursledon Management and Appraisal Proposals* (Supplementary Planning Document) as an unlisted building in Zone 3 that makes a positive contribution to the Old Bursledon and Special Policy Area.
32. The garden is described in detail with a proposal in paragraphs 4.95 and 4.96 as follows:
“4.95 This space in the middle of the zone forms a green break in the development pattern. It makes an important contribution visually to the character zone and should be retained as an open landscape. Saved Policies 18 CO 169LBi and 171LB support the retention of landscape character features.
4.96 Proposal - The local planning authority will discourage development on this garden.”
33. Boundary structures of Station Hill are also described in 4.97 with a proposal in paragraph 4.98, as follows:
“4.97 Station Hill has been closed to public vehicular traffic and has since suffered from a proliferation of inappropriate boundary treatments such as fences that visually harm the character... Whilst permitted development rights allow the erection of fences or walls to a certain height without requiring planning permission residents should be encouraged to choose suitable materials and styles to reflect the historic nature of this zone.
4.98 Proposal - The local planning authority will advise residents on the choice of suitable materials and styles when opportunities arise.”
34. This application includes a laurel hedge as its boundary with Station Road with a substantial wooden gate, which currently hide the garden from public view. The proposed extension and car port (garage?) plus drive will impinge on the open landscape and prevent the garden’s contribution to the landscape character of the area. The proposal will not enhance the Old Bursledon Conservation area.
35. This *scheme* may be preferable to the one permitted by the lawful development certificate, but its proposed extension and car port would be less obtrusive if moved to another part of the garden where they would be less obvious. A low, brick wall and see-through gate would allow the garden to continue to feature as open landscape and the brick wall would reflect the historic nature of the zone and serve as an introduction to the walled, former Greyladyes Estate properties further up Station Hill and to Greyladyes Park to the rear.

Old Bursledon Action Group:

36. To be reported

Environment Agency:

37. To be reported

Hampshire Countryside Services:

38. Bursledon Footpath 507 to the south and Footpath 1 to the west are unaffected by the proposals. We therefore have no objection.

Policy Context and Designations Applicable to Site

- Within Designated Countryside
- Within HRA Screening Area
- Within Designated Conservation Area
- Within Special Policy Area
- EA Main River 8m Buffers
- EA Risk of Flooding from Surface Water 30-year extent
- EA Risk of Flooding from Surface Water 100-year extent
- NE Impact Risk Zones
- Solent Mitigation & Disturbance Zone

Development Plan Saved Policies and Emerging Local Plan Policies

Eastleigh Borough Local Plan Review (2001-2011) Saved Policies:

- 1.CO (Countryside Protection);
- 9.CO (Extensions to existing dwellings in the countryside)
- 25.NC (Promotion of biodiversity);
- 59.BE (Design criteria);
- 104.T (Off-highway parking);
- 169.LB (Criteria for development in a Conservation Area)
- 179.LB (Old Bursledon)

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014

39. The Eastleigh Borough Local Plan 2011-2029 was submitted for examination in July 2014 but the Inspector concluded that insufficient housing was being provided for in the Plan and that it was unsound. While this has not been withdrawn and remains a material consideration, it can therefore be considered to have extremely limited weight in the determination of this application.

Submitted Eastleigh Borough Local Plan 2016-2036

40. The 2016-2036 Local Plan was submitted to the Planning Inspectorate on 31st October 2018 and the examination hearings concluded in January 2020. The Council received the Inspector's post-Hearing advice on 1 April 2020. The Council is progressing with modifications to the Local Plan to enable its adoption, anticipated in mid-2021. Given the status of the Emerging Plan, it is considered that overall moderate weight can be attributed to it. The most relevant policies are:

Strategic policies:

- S1 (Sustainable Development);

Bursledon, Hamble-le-Rice and Hound:

- BU9 (Residential extensions and replacement dwellings, Old Bursledon Special Policy Area)

Development Management policies:

- DM1 (General Development Criteria);
- DM12 (Heritage Assets);
- DM28 (Residential extensions and replacement dwellings in the countryside)

Supplementary Planning Documents

- Quality Places (November 2011);
- Residential Parking Standards (January 2009);
- Old Bursledon Conservation Area Appraisal and Management Proposals (February 2012)

National Planning Policy Framework

41. At national level, the National Planning Policy Framework (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The National Planning Policy Framework (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and sets out a general presumption in favour of sustainable development unless material considerations indicate otherwise.
42. Three dimensions of sustainability are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst local circumstances should also be taken into account, so that development responds to the different opportunities for achieving sustainable development in different areas.
43. In the instance that a proposal would not preserve or enhance the conservation area then it must be perceived to have a public benefit. Referring to paragraph 195 of the National Planning Policy Framework, proposals that stand to potentially harm a designated heritage asset, in this case the Old Bursledon Conservation Area, should be refused unless a public benefit can be identified which would outweigh any harm the proposal presents.

National Planning Practice Guidance

44. Where material, the Planning Practice Guidance which supports the provisions and policies of the NPPF should be afforded weight in the consideration and determination of planning applications.

Assessment of Proposal: Development Plan and / or Legislative Background

45. 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 comprises the Saved Policies of the Eastleigh Borough Local Plan Review 2001-2011 and the Hampshire Minerals and Waste Plan 2013 (which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

46. The site also lies within a Conservation Area and Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

47. "In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

Principle:

Sustainable Development:

48. Section 2 of the NPPF (February 2019) states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

49. Achieving sustainable development means that the planning system has three overarching objectives – economic, social and environmental (which are interdependent and need to be pursued in mutually supportive ways) that should be delivered through the preparation and implementation of plans and the application of the policies in the Framework.

50. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

51. National legislation and guidance, together with local policy ensure that all planning applications are tested for their resilience to and impact on the Environment. Details elsewhere in this report set out the Climate Change and Environmental implications of this application and their proposed mitigations.

Principle and Policy:

52. The site is located within the countryside, where the type of development is restricted by Policy 1.CO. However, the extension will not facilitate the subdivision of the site into more than one dwelling or result in the dwelling becoming disproportionate in size to neighbouring properties or disproportionate in relation to its plot. Policy 9.CO makes provision for residential extensions within the countryside, where they do not materially worsen the impact of the dwelling on its immediate surroundings or the countryside in general.

53. Policy 59.BE requires development to 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 and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

54. Policy 169.LB states that alterations and extensions to existing buildings, within the Conservation Area, will be permitted, provided particular criteria is met: the proposal preserves or enhances the character or appearance of the Conservation Area or its setting; any new building or extension does not detract from the character of the area; the mass, materials and form of the building and associated landscape features are in scale and harmony with the existing and adjoining buildings; and the materials to be used are appropriate to and in sympathy with the existing buildings and the particular character of the area.

55. Policy 179.LB states that in order to protect the special loose-knit character of Old Bursledon and to ensure the retention of existing open areas, further development will be refused within the special policy area with the exception of appropriate extensions, provided that they respect and enhance the character of the Special Policy Area.

56. Most of the criteria set out within the adopted Local Plan Policies have been carried through to the Submitted Eastleigh Borough Local Plan (2016-2036). However, Policy BU9 has revised the criteria set out in

Policy 179.LB. Under Policy BU9 Residential extensions within Old Bursledon are required to not increase the total volume of the dwellinghouse by more than 25% (as included in the Emerging 2011-2026 Local Plan); have regard to the impact between the development and the openness of the area; ensure the proposal is subservient to the original dwellinghouse; does not urbanise the area; and does not detract from the character of the area as viewed from the River Hamble. However, during the appeal hearings the Inspector questioned the need for this policy (including the 25% maximum volume increase) and written feedback is awaited. Therefore, at this current time, it is considered that Policy 179. LB of the adopted local plan holds more weight than Policy BU9 in the decision-making process. However, in an effort to protect the character of the area, the council's long term desire to restrict the extent of development in Old Bursledon is acknowledged.

57. Referring to the Old Bursledon Conservation Area Appraisal and Management Proposals SPD it is worth noting that this proposal is located within Zone 3 of the management proposals.

Design and layout:

58. The design of the proposed single-storey extension is suited to the host dwelling. The extension will be set back off the immediate front elevation and will recede back into the site.

59. The proposal will involve removing the existing boundary fence that separates the front and rear garden to let the extension go through. Therefore, although the extension initially extends from the front, the extension will mainly sit in the back garden. This is due to the plot size and layout, which is a generous size but with the main property squeezed into the very bottom south corner of the plot there is little opportunity to extend in another fashion.

60. The Cottage is identified in the Old Bursledon Conservation Area Appraisal and Management Proposals SPD to be an un-listed building that makes a positive contribution. This is recognised in the design that proposes to limit the protrusion from the front elevation and will reduce the potential to diminish this positive contribution the dwelling currently makes.

61. The design of the gable pitch creates a similar appearance to the side elevation of the main dwelling that is seen from Station Road, which has a hipped profile. The gable, as seen from the east and west side, has been amended to be reduced in its overall height and now measures approx. 4.5m from apex to floor level, which is approx. 2m lower than

the main dwelling from ridge to floor, excluding the chimney. The superseded scheme measured approx. 5.2m from the apex to the floor level.

62. From the road, this extension does not dominate the appearance of the house and will not create a ridge higher than the existing dwellinghouse which will maintain the extension as a subservient addition. The extension will retreat into the site which will reduce its immediate impact and soften its appearance, especially as the chosen materials will weather.

63. The design of the proposal reflects a traditional structure with a contemporary twist that would create additional interest to the traditional character of the house. Moreover, the painted timber, oak framed, and aluminium framed glazing reflects the character of the area and the dwelling as existing which has similar features. The avoidance of UPVC is supported as it would be inappropriate to a house within this setting. Timber is also to be used on the proposed French doors.

64. The clay tiled roof will match existing. While the proposed brick plinth and oak weatherboard on the proposal will differ from that of the existing cream brick on the main dwelling, this is considered to highlight the distinction between old and new with the two blended together creating a fusion where the proposal would be seen to compliment the original dwelling and also be seen as a clear addition.

65. The proposal also includes a carport which is located to the north of the site. The design of the carport is a modest addition to the site and will not detract from the character of the area. Although vegetation is not a reason the car port would be permissible, the car port will also be tucked round behind a proposed mature tree; therefore, being partially screened from Station Road. The car port roof is proposed as hipped and is only single storey so will not adversely impact the adjacent neighbour at 2 Holmlea. Additionally, the proposed slate roofing and black stained weatherboarding will create a dark feature as to not draw attention to itself and reduce its impact on its setting. The proposed height from its apex to the floor is approx. 3.9m in height by 6.9m in depth and by 5.2m in width.

Impacts on the Conservation Area and Special Policy Area:

66. Within the Old Bursledon Conservation Area Appraisal and Management Proposals SPD under paragraph 4.93 and 4.94, the document states the importance of the garden of The Cottage. It is stated to provide a 'green

break' in the development pattern and makes an important visual contribution to the character zone and should be retained as open space.

67. This proposal due to the recessed nature of the extension and separation distance between the proposed extension and proposed car port, would not create a development that would detract from the open space the management proposal is seeking to retain. Moreover, the application site currently has entrance gates that act as a barrier to the 'green break' of which will be replaced and have a character not too dissimilar from its existing appearance.

68. The proposals do not accord with saved policies 169.LB and 179.LB, in that it would create a mass that would not be in harmony to the character and appearance of the Conservation Area, and due to its siting would have a harmful impact on the Special Policy Area.

69. The Cottage is not close to any listed buildings and will not affect their setting. Upcot, the closest listed building, is also separated by a no through road section, limiting its potential to be associated.

70. Referring to policy BU9 and the Old Bursledon Conservation Area Appraisal and Management Proposals SPD, the proposed extension would increase floor space by 63%. While it is noted this is above the recommended 25%, it should be considered that the previous Lawful Development Certificate (LDC) permission granted in 2014 would see a floor increase of 65%. Therefore, these two extensions are almost identical in overall mass, but this proposal exhibits a superior architectural quality when compared to the approved LDC scheme. It should be noted that this level of development, although sympathetically designed, would normally be refused due to its proposed massing surpassing that that would be appropriate for the conservation area.

Residential Amenity:

71. Saved policy 59.BEvii requires proposed development to avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes. In addition the 'Quality Places' SPD seeks to ensure that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.

72. The residential amenity of neighboring properties will not be detrimental impacted by the proposals. The development does not overlook any

neighbouring properties and therefore accords with saved policy 59.BE vii.

73.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. The proposals will also not create any overshadowing to neighbouring properties.

74.The neighbour at no.2 Holmea would not be adversely affected by the proposed car port that would be located close to their boundary. The car port is not located close to the property and would not be used for a purpose outside the realms of a residential use so is not anticipated to create unacceptable noise levels.

Access and Parking:

75.Access will remain as existing with a proposed new car port located on site. The proposed driveway will be similar in its size to existing, with a new proposed entrance gate. With the proposed car port tucked to the side, this would provide car and cycle storage while also maintaining the important open green space to the rear of the plot.

76.The car port is measured to accommodate 2 car parking spaces along with cycle storage. When comparing the size of the car port with the Council's Residential Parking Standards (SPD) for a garage, this car port is not deep enough to accommodate a car. However, this space is large enough to provide at least one car parking space, fit for standards, with available parking outside of the car port on the drive.

77.The property will become a 4+ bedroom property with the addition of a ground floor bedroom within the proposal, requiring 3 off-highway parking spaces in order to accord with the parking standards. The site has capacity to accommodate this.

Flood Risk:

78.The proposal does not sit within a designated flood zone so no mitigation or set floor levels are required.

79.The area of development is not covered by substantial levels of surface water flooding so will not require surface drainage measures to be implemented for this scheme.

Ecology:

80. The proposals were assessed for bat roost potential and have been deemed to have a negligible likelihood of being present within the existing outbuilding scheduled for removal and the two nearby trees, one of which is scheduled to be reduced and one retained.
81. Conditions have been requested by ecology which requires tree and hedge work to be done outside of bird nesting season with checks being required within 48 hours of works starting. Additionally, a standard note on the discovery of bats will be imposed.

Trees:

82. The tree report has been amended to retain the Alder T2 and has provided details regarding the Yew T1 for an event in which roots may be found during construction.
83. The tree officer is satisfied with the submitted arboriculture report and has attached a condition for in the event permission is granted, including the necessary accordance with the submitted report and tree protection plan.
84. Overall, there is little anticipated affect on trees and mitigation has been put into place to ensure trees are not harmed during the construction process.

Other material considerations

Previously approved U/14/74862:

85. The single storey front extension that is the subject of this application has a fallback position available to the property whereby a Lawful Development Certificate (LDC) was issued in 2014. The LDC scheme measures 11.8m extending out from the front elevation, 5.2m wide and 3.95m high. At the time of submission, the LDC established that a front extension of the size proposed was Permitted Development (PD).
86. The Town and Country Planning Act 1995 is Section 192 (4) states that:
“The lawfulness of any use or operations for which a certificate is in force under this section shall be conclusively presumed unless there is a material change, before the use is instituted or the operations are begun, in any of the matters relevant to determining such lawfulness”

87. Although the change of the GDPO regulations in 2015 removed the ability to undertake unlimited front extensions, which would be a material change, the drainage from that scheme was implemented which means the 2014 LDC would still stand as extant and so could still be completed at any time.

88. As the approved extension is almost identical in floorspace and occupies a much more prominent position to the front of the house within the front garden and will alter the current appearance of this notable property, arguably creating a feature that will mostly destroy the character of the house as existing, this LDC would create a feature more harmful than the scheme proposed under this application.

Equalities Implications:

89. 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.

90. 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

91. In conclusion, the proposed extension and carport would be harmful to the Conservation Area, despite its amended design to reduce the overall height of the gable and carport, because of its overall proposed size and its siting in a prominent location. However, when considered against the alternative approved scheme which would otherwise be likely to be implemented, on balance it is considered acceptable and in the public interest to permit this scheme. This is due to the poor design quality of the approved LDC and so this application would be the better of the two; therefore, the best long-term option and is therefore recommended permission. The recommendation to Permit subject to conditions is also subject to the consideration of any comments received from the Old Bursledon Action Group (delegated to the Head of Housing and Development in consultation with Members).

The Cottage, Station Road, SO31 8AA



Department:	H/20/88877
Date: 13/01/2021	Scale: 1:1250