

BHH – Bursledon, Hamble-le-Rice and Hound Local Area Committee - 3
March 2022

Application Number: H/21/91822
Case Officer: Summer Sharpe
Received Date: 29 October 2021
Site Address: 7 Oakhill Terrace, Oakhill, Bursledon, Southampton, SO31
8AS
Applicant: Mr & Mrs McClory-Cuthbertson
Proposal: Demolition of garage to create a beauty room outhouse.
Single storey rear extension and two storey rear extension.
Recommendation: Permit

CONDITIONS AND REASONS:

1. 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.

2. The development hereby permitted shall be implemented in accordance with the following plans numbered:

- Existing Floor Plans & Elevations: 100
- Proposed Floor Plans & Elevations: 101
- Location & Block Plan: 102
- Existing Garage: 102
- Beauty Room Floor Plan & Elevations: 103
- Location & Block Plan 104

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

3. The salon use hereby permitted shall only operate in the approved outbuilding between the hours of:

9:30-14:30 - Tuesday, Wednesday & Friday,

9:30-18:30 - Thursday,

and not at all on Mondays, Saturdays or Sundays.

Reason: To protect the amenity of the neighbouring occupiers.

4. The outbuilding hereby approved shall be used only for purposes of a Beauty Salon within Sui Generis use of the schedule to the Town and Country Planning [Use Classes] Order 1987, [or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification] and for no other purposes.

Reason: In the interests of highway safety and local amenity.

5. The hardstanding area to the frontage of the dwellinghouse shall be reserved for the use as customer car parking for the approved salon during the hours of operation of the salon.

Reason: In the interests of highway safety.

6. The salon use hereby permitted shall only operate with one employer and one customer at one time.

Reason: To protect the amenity of the neighbouring occupiers, and in the interests of highway safety.

7. The materials to be used shall comprise:

- The outbuilding: anthracite cedar cladding
- The extensions: materials to match the host dwellinghouse

Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

INFORMATIVES

1) Note to Applicant

In the unlikely event that a bat is found, works should stop immediately and Natural England informed: <https://www.bats.org.uk/advice/im-working-on-a-building-with-bats/ive-found-a-bat-during-works>

2) Note to Applicant

Please review Southern Waters Comments in detail online and contact: SouthernWaterPlanning@southernwater.co.uk when and/or where necessary.

3) Note to Applicant

Please be aware that your property is understood to have a restrictive covenant which prevents any additions or alterations to the property without consent of the Council, this is in addition to planning permission consent. You will therefore need to contact Asset Management directly to obtain their consent prior to proceeding with the approved planning application under application no: H/21/91822.

1. Report:

This application has been referred to Committee by Councillor Holes, Craig, Airey and Rich.

2. Site Characteristics and Character of the Locality

3. The application site comprises a two-storey semi-detached dwellinghouse located to the north-east of the A27. The dwellinghouse itself is set back from

the road by hardstanding providing vehicular parking provisions to the frontage. The dwellinghouse has an 'L-shaped' footprint and is constructed of facing brick work at ground floor level, light render at first floor level, with a tiled roof and white upvc fenestration, including a bow bay window at ground floor level. To the north-west of the dwellinghouse is access (wide enough for a vehicle) to the rear garden, which is bound by a low-level brick wall, and an existing garage, set back within the rear garden. To the eastern boundary there is some close board fencing. Generally, there is limited/ low-level boundary treatment.

4. The surrounding area predominantly comprises residential dwellinghouses. To the east are 1-6 Oakhill Terrace which are fairly uniform in terms of their appearance fronting the A27. To the north-west is a detached dwellinghouse, set back within its site. To the south are other detached and semi-detached two-storey dwellinghouses. Throughout the wider surroundings it is noted that the road has an incline from Portsmouth Road to Dodwell Lane.

5. Description of Application

6. The application proposes the demolition of garage to create a beauty room. The existing garage is located tight to the north-western boundary, set back from the host dwellinghouse. The existing garage has a footprint of approx. 6m by 3.5m, with a flat roofed height of approx. 2.3m. The proposed beauty room would be situated in the same location and would have an enlarged footprint of approx. 8m by 3.6m with a mono-pitched roof; the highest point would measure 3m and the lowest 2.4m. This is proposed to be finished in anthracite cedar cladding. The agent and applicant have also confirmed that Mrs McClory-Cuthbertson would be the sole worker, whereby they would anticipate between 3 – 4 customers per day, during the operating hours, which comprise:
Monday, Saturday & Sunday: Closed
Tuesday, Wednesday & Friday: 9:30-14:30
Thursday 9:30-18:30.

7. The application also proposes a single storey side/ rear extension and two-storey rear extension. The proposed single storey extension would 'square off' the host dwellinghouse, projecting approx. 3.8m from the recessed rear elevation. This would have a width of approx. 2.2m, and a flat roof height of approx. 3m. The proposed two-storey rear extension would be situated above the existing single storey outshot (following the same footprint) of approx. 3.8m by 3.5m. The proposed two-storey rear extension would have a hipped roof with eaves measuring approx. 5m, and an overall height of approx. 6.8m. This is proposed to be finished in materials to match the host dwellinghouse.

8. Relevant Planning History

9. None.

10. Representations Received

11. 1 no. neighbour objection

Concerns relating to customer parking for the proposed beauty room.

12. Consultation Responses

13. Bursledon Parish Council:

Objection – the proposed application will have a detrimental impact on the neighbouring property and that there is inadequate parking associated with the proposed business use which will disperse vehicles on to other areas.

14. Hampshire County Council Highways:

Access: vehicle and pedestrian access is unchanged by the proposals, which is acceptable.

Trip rates & Parking: the specified 3-4 customers per day would generate 2no. client parking spaces at any one time, combined with the residential requirements of 2no. spaces for a 3no. bedroom dwelling. 4no. parking spaces could be accommodated as shown on the submitted plans.

15. EBC Ecologist:

No objection.

In the unlikely event that a bat is found should permission be granted, works should stop immediately and Natural England informed:

<https://www.bats.org.uk/advice/im-working-on-a-building-with-bats/ive-found-a-bat-during-works>

16. EBC Arboriculturalist:

No objection.

17. EBC Environmental Health:

No comment.

18. Southern Water:

Comments – advising upon foul sewers.

19. Policy Context and Designations Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area

20. Development Plan Saved Policies and Emerging Local Plan Policies

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

- 25.NC (Biodiversity);
- 59.BE (Design criteria);
- 104.T (Off-highway parking);

22. Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014

23. 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.

24. Submitted Eastleigh Borough Local Plan 2016-2036

25. The 2016-2036 Local Plan was submitted by the Council to the Planning Inspectorate on 31st October 2018 with hearings in public having commenced in November 2019 and concluded in early 2020. The Council subsequently received the Inspector's feedback and recommended action points on the plan in April and May 2020. On 25 June 2020, the Council's Cabinet resolved to progress the examination on the basis of the main modifications outlined in the Inspector's letter and action points and/or any other main modifications which may be necessary.

26. The Council's Planning Policy Team subsequently prepared further evidence and drafted the main modifications in response to each of the Inspector's letters and points. The Inspector also held an additional hearing in January 2021 in relation to Mercury Marina. Following on from this, the Inspector has now finalised the main modifications for public consultation and the Council has also prepared modifications to the policies map and proposed additional modifications. A report of the Planning Policy Senior Specialist was considered at Cabinet and Full Council on 27 May 2021 which recommended approval of the modifications proposed for public consultation.

27. Consultation on the Main Modifications took place between 8 June 2021 and 21 July 2021. Adoption of the plan is anticipated summer 2022. It is considered that overall considerable weight can be attributed to it. The most relevant policies are:

Strategic policies:

- S1 (Sustainable Development);
- S2 (Promotion of New Development);

Development Management policies:

- DM1 (General Development Criteria);
- DM2 (Environmentally Sustainable Development);
- DM11 (Nature Conservation);
- DM14 (Car Parking);

28. Supplementary Planning Documents

- Quality Places (November 2011);
- Residential Parking Standards (January 2009);

29. National Planning Policy Framework

30. At national level, the National Planning Policy Framework (NPPF) is a material consideration of significant weight in the determination of planning applications.

31. National Planning Practice Guidance

32. 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.

33. Assessment of Proposal: Development Plan and / or Legislative Background

34. 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.

35. 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.

36. Principle:

37. The application site falls within the urban edge, whereby alterations or extensions to, or within the curtilage of residential dwellinghouses are considered to be acceptable in principle, however, would be subject to the following considerations.

38. Design and Appearance:

39. Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011), and Draft Policy DM1 of the submitted Eastleigh Borough Local Plan (2016-2036) stipulate 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 neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

40. The application proposes the demolition of garage to create a beauty room outhouse. Single storey rear extension and two storey rear extension. Therefore, the assessment will be broken into two parts.

41. The existing garage would be demolished and replaced by an outbuilding in the same location, albeit with a larger footprint. This would be finished in anthracite cedar cladding, which is considered to result in an improved appearance when compared to the existing. Given the existing garage, the proposed outbuilding is not considered to appear out of context,

further it is noted that there are other examples of outbuildings within the immediate surroundings.

42. The proposed single storey and two-storey rear extensions are considered to appear as subservient additions when read in conjunction with the host dwelling. The single storey extension has modest dimensions and would seek to 'square-off' the ground floor of the host dwelling. The proposed two-storey extension would be set in from the eastern boundary and set down from the roof of the host dwellinghouse, thus appearing appropriate with specific regard to its overall scale. Furthermore, it is noted that this two-storey element would reflect existing examples within the immediate surroundings, namely no.6 Oakhill Terrace. For which planning permission for a two-storey rear extension was granted in July 1998 under planning application referenced Z/35374/000/00. Whilst it is noted that the two-storey element could be visible from public vantage points, owed to its subservient dimensions and use of matching materials the proposal would be considered acceptable.

43. To conclude, the proposed outbuilding, single storey rear/ side extension, and two-storey rear extension are considered to be acceptable, in accordance with the abovementioned policies and the contents of the NPPF.

44. Access, Parking and Highways Matters:

45. Saved Policy 104.T of the Eastleigh Borough Local Plan Review (2001-2011), and Draft Policy DM14 of the submitted Eastleigh Borough Local Plan (2016-2036) require residential development to provide off-highway parking which is adequate in terms of highway safety / traffic management. The Residential Parking SPD sets out the relevant parking provisions for dwellinghouses, which are dependent upon the amount of bedrooms.

46. The dwellinghouse currently has 3 no. bedrooms, thus requiring 2 no. off-street parking provisions, as set out within the SPD. At the date of the site visit (13 December 2021) it was noted that to the frontage there was hardstanding for the provision of vehicles. Furthermore, there was a driveway located to the northern side of the host dwellinghouse, whereby there was a garage set back within the site (approx. 10m).

47. The proposals would also result in the loss of the garage and provision of a beauty room, which would generate parking requirements. Highways have advised that 2 no. parking spaces would be required for the proposed beauty salon. The proposal would not create any additional bedrooms, and therefore the 2 no. off-street parking provisions for the dwellinghouse would remain.

48. "Location & Block Plan 104" was submitted which showed that there was sufficient parking for 4no. vehicles to the northern side of the dwellinghouse (along the driveway) and 2no. vehicular parking provisions to the frontage of the dwellinghouse. As such, it is considered that there are

sufficient parking provisions on site to facilitate the host dwellinghouse and the proposed beauty salon usage. In order for the parking provisions to work, in practice, it is recommended that the vehicular parking provisions to the frontage of the dwellinghouse be reserved for customer parking, and parking provisions along the driveway be used by the occupiers of the dwellinghouse. It is recommended that the parking provisions be secured via condition.

49. It is noted that the Parish Council and Councillors requesting the application to Committee raised concerns relating to Highways matters. These specific concerns have been considered by Hampshire County Council Highways Officer, whereby the following response has been provided: *there would be space in front of the dwelling which could be used as an informal turning space. However, were this to be removed in the future, consideration of reversing movements either onto or off of the site would need to be considered. Whilst it is noted that this is not an ideal movement, owed to the amount clients utilising the beauty salon per day, it is not considered that this would be excessive. This is combined with the access being within a 40mph speed zone, a very straight section of highway with excellent visibility and the fact the existing dwelling, as well as the adjacent 6 houses also make the same reversing movements when accessing or egressing their properties without known incident would, in their professional opinion, make it difficult to justify an object on highway safety grounds.*

As such, and to conclude, the proposals would therefore be considered acceptable in this regard.

50. Ecology and Trees:

51. Saved Policy 25.NC of the Eastleigh Borough Local Plan Review (2001-2011), and Draft Policy DM11 of the submitted Eastleigh Borough Local Plan (2016-2036) stipulate 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.

52. The Council's Ecologist has been consulted as part of this application. They note that there are some records of Pipistrelles within 160m north of the application site (along Dodwell Lane). They have reviewed the existing garage, which is an open fronted structure with corrugated metal roof and have concluded that this would not be suitable for use by protected species. Furthermore, they note that the proposed extensions will affect a small part of the existing roof, however given the good condition of the existing roof this is unlikely to be used by protected species. Their comments ultimately conclude with no objection, however an informative would be recommended to be attached to a positive decision to advise that if any bats/ protected species are found, works should cease immediately, and Natural England

be informed.

53. Residential Amenity:

54. Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011), and Draft Policy DM1 of the submitted 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.

55. As per the design section of this report, the assessment of the impact upon the neighbouring amenities will be separated into two parts.

56. The garage would be demolished and replaced by an outbuilding within the same location. The proposed outbuilding would increase the length along the shared boundary from 6m to 8m. There would also be an increase in the overall roof form/ height. Whilst it is acknowledged that the proposal would be larger than the existing garage, given this existing relationship, combined with the proposal which is situated to the frontage of the neighbouring property to the north-west, this element of the proposal is not considered to have an adversely harmful impact upon the amenities of this neighbouring property.

57. In terms of the proposed usage, it is noted that a beauty salon would generate more comings and goings. The applicant has advised that they will be the sole worker, with an anticipated amount of 3-4 customers per day (during the proposed operating hours stated above). Whilst generating additional comings and goings owed to the modest nature of the proposal and operating hours, it is not considered that this would have a detrimentally harmful impact upon the amenities of the neighbouring properties. It is also recommended that the operating hours be conditioned to ensure that the amenities of the neighbouring properties would not be adversely impacted upon.

58. The proposed single storey rear extension would be situated tight to the shared eastern boundary with no.6 Oakhill Terrace. Whilst it is acknowledged that the proposal would impact upon the amenities of this neighbouring property, owed to the overall height and depth dimensions, it is not considered that this would have a detrimentally harmful impact upon the amenities of this neighbouring property, thus would not warrant reason for refusal.

59. The proposed two-storey rear extension would be set in from the shared eastern boundary and would reflect a similar design to the existing example at no.6 Oakhill Terrace. It would therefore be considered that this element would not have an adverse impact upon the amenities of the neighbouring property to the east. Furthermore, owed to the overall dimensions and separation distance to the neighbouring property to the north-west, the proposal is not considered to have an adverse impact upon the amenities of this neighbouring property.

60. To conclude, the proposed outbuilding, single storey rear/ side extension, and two-storey rear extension are considered to be acceptable, in accordance with the abovementioned policies and the contents of the NPPF.

61. Climate Impact and Sustainability

62. 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.

62. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. It is not part of development plan or emerging plan policy, but it is a material consideration to be considered alongside all other material considerations. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging Local Plan, as is an assessment of climate impacts.

63. The NPPF, Saved Policies 34.ES and 37.ES of the local plan, Draft Policies S1, DM2 and DM3 of the Emerging 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 not expected to be directly impacted by the potential effects of climate change and is expected to have a negligible impact on the climate as a result of the development or its use.

64. Equalities Implications

65. 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.

66. 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.

67. Conclusion

68. The proposals are considered to be acceptable and are therefore recommended for approval subject to conditions laid out above.

