

BHH – Bursledon, Hamble-le-Rice and Hound Local Area Committee - 16 June 2022

Application Number: H/22/92544
Case Officer: Dorothy Hei-Tung-Hoh
Received Date: 28 February 2022
Site Address: EDENBRIDGE HOUSE, SCHOOL ROAD, BURSLEDON, SOUTHAMPTON, SO31 8BW
Applicant: Mr Nigel Barclay
Proposal: Construction of two storey rear extension and elevational alterations

Recommendation: Permit subject to Conditions

CONDITIONS AND REASONS:

1.	<p>The development hereby permitted shall be implemented in accordance with the following plans numbered: Prop01 Rev E, Prop02 Rev E, SL01 Rev A, Exist.01, Exist.02 and Sect01</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
2.	<p>The development hereby permitted shall start no later than three years from the date of this decision.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990.</p>
3.	<p>The materials to be used must match as closely as possible, in type, colour and texture those listed in Section 10 of the application form.</p> <p>Reason: To ensure a satisfactory visual relationship of the new development to the existing.</p>
4.	<p>No excavation, demolition or development related works shall take place on site until a scaled and referenced tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), is submitted and approved by the LPA. The approved tree protection plan must be adhered to in full, and may only be modified subject to written agreement from the LPA.</p> <p>Reason: to retain and protect the existing trees which form an important part of the amenity of the locality.</p>
5.	<p>No construction, demolition or deliveries to the site shall take place</p>

	<p>during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays.</p> <p>Reason: To protect the amenities of the occupiers of nearby dwellings.</p>
6.	<p>No construction shall start until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. This shall include details and timings of deliveries, access and parking arrangements for construction vehicles and measures for minimising dust and mud on the surrounding roads. Construction work shall only take place in accordance with the approved method statement.</p> <p>Reason: In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.</p>
7.	<p>Note to Applicant: This application has been flagged up as being within 50 m of a record of slow worms. All reptiles are protected under the Wildlife and Countryside Act 1981, as amended.</p> <p>In the unlikely event of any slow worms being found during demolition or construction, all work must stop immediately, and they must be allowed to move away to a place of safety on their own. Slow worms should not be handled unless you have specific training in how to do this safely. This is because they shed their tails when they are in danger, which could leave them open to infection and possible death.</p>
8.	<p>Note to Applicant: It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.</p> <p>Please note:</p> <ul style="list-style-type: none"> (a) The public foul sewer requires a clearance of 3 metres on either side of the public foul sewer to protect it from construction works and to allow for future maintenance access. (b) No development or tree planting should be carried out within 3 metres of the external edge of the public foul sewer without consent from Southern Water (c) No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public foul sewer. (d) All existing infrastructure should be protected during the course of construction works. <p>For further information, please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf</p>

9.	Note to Applicant: It is requested that the building works are carried out considerably to minimise disruption to the occupiers of the neighbouring properties. The council operates a code of best practice, which is available on the council's website www.eastleigh.gov.uk by following the links to Planning and Building, Building Control, then select 'Considerate Builders Advice Note'.
10.	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 Councillor Tonia Craig, Councillor Steve Holes and Councillor Adam Manning because it is controversial within the locality.

Site Characteristics and Character of the Locality

2. Edenbridge House was formally part of the front garden of The Old Rectory. The site contains a 4 bedroom, detached, two storey dwelling.
3. Setting within a generous plot, the site is generally level with lawn surrounded with flower beds and mature trees with hedging on the boundaries.
4. The property abuts School Road and Kew Lane and is accessed via a private drive shared with The Old Rectory opening onto a large gravel courtyard area, providing ample parking.
5. The property is of a contemporary style and appears to remain as it was initially constructed in 1960-1970 with low pitched concrete tiled roof, red/purple multi brickwork and large side hung casement windows (now in uPVC).
6. To the side of the property, there is a large double garage under a flat roof which connects the garage to the house extending across the front to form an entrance canopy. To the rear of the property is a large garden amenity space. The site is mainly laid to lawn with paved patio area and is enclosed by fence panel surrounds.
7. The surrounding area is a relatively low density mixed residential area of Old Bursledon. The original designs of the neighbouring properties have been modified over time and has resulted in a varied and vibrant

appearance with no particular dominance of style but principally with heights of two storeys.

Description of Application

8. The application seeks approval to erect a two-storey extension to the rear with internal modifications and adjustments to the windows and garage doors on the front northern elevation.
9. Amended plans were received in relation to the application on 28 April 2022. The amendments have omitted a carport, conservatory and entrance gates from the plans as well as reduced the depth of the two-storey rear extension by approximately 0.5m. These amendments bring the extension down to a 24.89% increase in volume.
10. The proposed two-storey rear extension is now measuring approximately 11.14m in width being the full width of the two-storey element of the host dwelling and 2.57m in depth. It would feature a flat roof measuring 5.2m in height. The proposed extension is to accommodate a family room at ground floor level, and two enlarged bedrooms at the upper floor level.
11. The internal modifications require adjustments to the front elevation fenestration with smaller window openings, a single broad garage door, together with areas of stained timber boarding which relates to the proposed finish of the upper storey of the rear extension.

Relevant Planning History

- No relevant planning history but there have been various applications for tree works dating back to 2016.

Representations Received

12. Seven letters of representations were received to the application as originally submitted. 3 no. of these were objections, 3 no. were supporting and 1 no. was a comment. They raised the following issues and concerns:

Objections

- Contravene the strict policy requirements for the Old Bursledon Special Policy Area (SPA)
- Visually intrusive
- Out of character for the locality
- Impact on mental health
- Overlooking

Supports

- Sympathetic design
- Enhance the aesthetic
- Enhance the rural character of its wooded surroundings
- No detrimental impact of this design
- Proportionate in size

13. Following the receipt of amended plans, one further letter of representation was received, which reiterated the objections previously raised to the application as originally submitted. The representee has also added the following concerns:

- Increased noise from residents and vehicles using the access road
- Parking of construction vehicles and obstructions caused
- Dust / Mess during construction
- Impact on mental health
- Detract and dominate the Grade II listed building next door

Consultation Responses

14. Built Heritage Consultant – Summarised

Original Comment – Objection (21 March 2022)

- The proposal exceeds the policy restriction on floor area and the volume.
- It will affect the setting of the heritage asset (The Old Rectory).
- The two flues will be particularly detrimental from the public viewpoint.
- The proposed log burning flues are not elegant. They will look grim when appearing at the top which will affect the setting of this particular heritage asset.

Update Comment following revised drawings – Withdraw the Objection (5 May 2022)

- The proposed volume has been reduced to conform with Policy BU7 regarding volume as in the new local plan adopted on 25th April.
- The revised proposal looks more elegant.

15. Bursledon Parish Council – Objection – The proposed extension is too large in scale.

16. Old Bursledon Action Group (OBAG) – Objection – Summarised

- The size of the proposed two-story extension to the house is about a third of the floor-space and a third of the footprint of the original dwelling. Therefore, it contravenes the Conservation Policies limiting extensions to 25% of the original dwelling.

- Edenbridge House is situated beside the Grade II Listed Old Rectory, so that it is particularly important that the Grade II Listed building is protected.

17. Southern Water – Comment – Summarised

- It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
- Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer.

18. Highway – No Objection

19. Ecology – Comment – Summarised

- No obvious slow worm habitat in the vicinity of the house

Policy Context and Designations Applicable to Site

- Outside of the urban edge – Countryside
- Within Old Bursledon Special Policy Area
- Within Old Bursledon Conservation Area
- Adjacent to a listed building

Development Plan Local Plan Policies

Submitted Eastleigh Borough Local Plan 2016-2036

The most relevant policies are:

Strategic policies:

- S1 (Sustainable Development);
- S5 (New development in the countryside);
- S8 (Historic Environment).

Development Management policies:

- DM1 (General Development Criteria);
- DM2 (Environmentally Sustainable Development);
- DM11 (Nature Conservation);
- DM12 (Heritage Assets)
- DM14 (Car Parking);
- DM26 (Residential extensions and replacement dwellings in the countryside).

Special policies:

- BU7 (Residential extensions and replacement dwellings, Old Bursledon Special Policy Area).

Supplementary Planning Documents

- Quality Places (November 2011);
- Residential Parking Standards (January 2009);
- Character Area Appraisal for Bursledon, Hamble-le-Rice and Hound (January 2008)

National Planning Policy Framework

20. 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.

National Planning Practice Guidance

21. 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

22. 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. Plan comprises the Policies of the Eastleigh Borough Local Plan Review 2016-2036 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.

23. The relevant policies and guidance combine to form the criteria against which this application will be assessed with particular regard to principle, amount of development, character and appearance, its impact upon the Old Bursledon Special Policy Area; impact upon residential amenity and other material considerations.

Principle and Policy

24. 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.

25. The application site lies outside the urban edge within designated countryside. Here the basic principle of development is not usually considered acceptable unless for justifiable agricultural, horticultural or recreational purposes. Strategic policy S5 also restricts development in the countryside principally in order to maintain its rural character and to limit urbanisation.
26. However, Policy DM26 of Eastleigh Borough Local Plan (2016-2036) allows extensions to existing dwellings in the countryside that are not subject to an agricultural occupancy condition and are not likely to result in the subdivision of the plot. The policy requires that new extensions do not result in the dwelling becoming disproportionate in size to its plot and the neighbouring dwellings.
27. Policy BU7 relates to the Old Bursledon Special Policy Area, designated to protect an area of low-density housing, woodland, open fields, and salt marshes adjacent to the River Hamble, served by narrow country lanes with well-established hedgerows, banks, walls and trees. The Old Bursledon Special Policy Area includes the Conservation Area. The policy states that residential extensions and replacement dwellings in the Old Bursledon Special Policy Area will only be permitted provided they:
 - (a) do not increase the volume of the original dwelling (as existing when the conservation area was first designated in 1982) by more than 25%. Further extension beyond this limit will not be permitted;
 - (b) have regard to the impact of the development on the space between buildings and the openness of the area, ensuring that the character of the undeveloped landscape between buildings is conserved and enhanced;
 - (c) do not create a dwelling disproportionately larger than the one that is being extended or replaced;
 - (d) are subservient to and in proportion to the existing building in form, scale and design;
 - (e) do not contribute to the cumulative urbanisation of the area; and
 - (f) are not otherwise detrimental to the character of the area as viewed from the River Hamble.
28. The application site is in close proximity to the neighbouring Grade II Listed Building The Old Rectory. Therefore, the policy requirements and criteria in Policy DM12 are relevant. The policy states that the proposed development within the setting of a heritage asset will be permitted provided it does not harm or detract from the significance or special interest of the asset and sustains and enhances its special character

and qualities.

Layout, design and impact upon the character of the area:

29. The Old Bursledon Conservation Area is designated because of its aesthetic value. The Local Planning Authority will seek to achieve a high standard of design when considering planning applications in this area, with a view to enhancement of its character. In assessing the development, account will be taken of the visual impact of an extension upon the Old Bursledon Conservation Area. This, in turn, allows an assessment as to whether the heritage asset would be harmed or enhanced by the proposed development.
30. In relation to the visual impact of the proposals, due to the stepped-down design, the proposed rear extension would be less evident from the road. Furthermore, the property is mostly screened behind the high and evergreen hedges along the highway boundaries, and therefore the two-storey element would not be highly visible from Kew Lane. From the officer's site inspection, School Road only offers a few glimpses of Edenbridge House, ensuring the altered dwelling's front elevation would not appear visually intrusive when viewed from this vantage point. The western flank of the proposed two-storey rear extension would also be screened by the outbuilding constructed along the boundary with The Old Rectory.
31. Policy BU7 allows properties to extend by up to 25% of the volume of the original dwelling, in order to retain the loose knit and spacious character of the Old Bursledon Special Policy Area. Edenbridge House is one of the smallest dwellings in the Old Bursledon Conservation. Given that no alterations and extension have been made to the original property before, the proposed two-storey rear extension represents a modest addition to the host dwelling. With the two-storey extension, the property would have a total volume of 699.28 cubic metres (existing volume is 559.91 cubic metres), representing a percentage increase of 24.98%. The total increase in volume would therefore not exceed the 25% limitation set out in policy BU7.
32. Whilst the proposed two-storey rear extension would be situated to the rear of the host dwelling and would not be highly visible from public vantage points, this does not negate the necessity to strive for good design. Following amendments, the scaled down rear extension is considered to be in proportion to the host dwelling in form, scale and design and aids to display a level of subservience. The removal of the proposed log burning flues also in respect to the 1960s/70s design of the house.

33. By utilising a flat roof for the rear extension, the height and volume would be kept to a minimum and therefore unlikely to be appreciated by the casual observer, particularly while there is a healthy hedge surrounding the property. The proposed flat roof form is also considered to enhance the existing utilitarian rear elevation of the property.
34. Sitting in a generous plot, it is considered that the application site does have sufficient space to accommodate an extension of this nature without significantly diminishing the sense of space around it. Once the development is completed, the site would retain sufficient private external amenity space and therefore would not result in overdevelopment; the residential amenities enjoyed by the occupants of the host dwelling would not be harmed.
35. Further to the consultation from the EBC Heritage Consultant, the amended plans have revised the elements of concern (e.g., the choice of materials and finishes). The proposed development is now considered to respect the character of the conservation area and would result in an overall improvement in terms of aesthetic.
36. On the front elevation, the works consist of replacing the existing garage door and front facing windows. Whilst the proposed alterations would be to the front elevation, they would be relatively minor in scale and the visual impact would be further reduced by the established high screening around the property.
37. During the appraisal of the planning history of the dwellings within the Old Bursledon Area, it was noted that most of the dwellings have already been extended over time. Therefore, the proposed development would not set a local precedent and is policy compliant.

Impact on the Listed Building:

38. Section 66(1) of the Planning (Listed Building & Conservation Areas) Act 1990 states:
- “In considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority ... shall have regard to the desirability of reserving the building or its setting or any features of special architectural or historic interest which it possesses”.*
39. Traditionally, the three most prominent buildings in a village were the Manor House, the Church and the Rectory. It is acknowledged that The Old Rectory is the most important property of the three here and the only one in the vicinity of the site that is a listed building. In this

instance, any development of the application site needs to be particularly sensitive to the visual importance of The Old Rectory, not only in terms of its listed status but also for its importance. The proposed development would not be permitted if it would result in a detrimental impact on the building or setting of The Old Rectory.

40. None of the proposed works would be physically attached to The Old Rectory and therefore would not give rise to any material harm to the fabric of the Listed Building.
41. Furthermore, the proposals maintain an appropriate level of separation from The Old Rectory. They would also have limited visual impact due to the established high screening around the property.
42. The proposal has been amended through negotiation with the Built Heritage Consultant. The consultant has withdrawn his objection following the requested amendments to the scheme. It is concluded that the proposed extension would not harm the setting of the listed building.

Residential Amenity

43. The proposed rear extension contains no upper side facing windows, as such there would be no effect on neighbouring amenity in terms of overlooking or loss of privacy.
44. The upper floor window on the front elevation would only look out onto areas already open to public view. The reduction in window openings would help to minimise potential for overlooking from the upper level.
45. Whilst the amenity concerns highlighted by the neighbours who have commented on the application are noted, due to the orientation, proximity and relationship of the application property to its neighbours, as well as the nature of the development proposed, it is not considered that there would be any adverse or unacceptable impact upon the residential amenity in terms of loss of privacy, light or outlook. As such the application is considered to accord with the amenity requirements of Policy DM1 of the adopted Local Plan and the Council's 'Quality Places' SPD.

Access, Parking and Transport Matters:

46. 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.
47. The extension does not incorporate any additional bedrooms so it would not impact on the existing car parking arrangements.
48. The proposal requires no alterations to the access of the site. There is room available on the site frontage to accommodate a minimum of 3 vehicles which is the maximum number that is required under the SPD requirements, with this being for a 4+ bedroom dwelling. Accordingly, there is considered to be no conflict with the aforementioned policy requirements.
49. Concerns have been raised by the occupants of The Old Rectory in relation to the existing entrance at Edenbridge House being accessed via a private drive shared with them. They suggested that the entrance of Edenbridge House should be re-sited and a separate drive created so that Edenbridge House will be no longer intrude on The Old Rectory by blocking access. However, as there are no proposals to alter the existing access, this matter is not a relevant consideration under the current application. The Local Planning Authority cannot insist on the access being relocated.
50. Given the constrained nature of the site, there is deemed to be the potential for contractors' vehicles to obstruct the road and associated pedestrian footway. It is therefore considered necessary to impose a condition requiring the submission of details of the arrangements for deliveries associated with construction works as well as for the parking of contractors' vehicles for approval by the Local Planning Authority prior to the commencement of development

Noise, Air Quality and Land Contamination:

51. Other concerns regarding noise and disturbance have also been raised. In the interests of neighbor amenity and local circumstances, a condition can be imposed restricting hours of operation to reasonable hours during the construction period.

Drainage and Flood Risk:

52. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be

required to ascertain its ownership before any further works commence on site. Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer.

Ecology and Trees:

53. The site does not contain any trees offered protection by a tree preservation order. However, the entire site is within the conservation area, which means that any trees above 75mm diameter (as measured at 1.5m above ground level) – i.e. anything significant – is protected by virtue of its location within the conservation area.
54. From the case files, there doesn't appear to be a direct impact to any trees (i.e. the extension will not require tree removal) but EBC Tree Consultant cautious about the boundary trees along Kew Lane from an indirect perspective, he would need the significant trees be protected from construction activities and access.
55. This application has been flagged up as being within 50 m of a record of slow worms. All reptiles are protected under the Wildlife and Countryside Act 1981, as amended.
56. EBC Ecologist confirmed that there is no obvious slow worm habitat in the vicinity of the house. In the unlikely event of any slow worms being found during demolition or construction, all work must stop immediately, and they must be allowed to move away to a place of safety on their own.

Sustainability Measures and Climate Change:

57. 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.
58. 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 emerging 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 emerging 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.

59. 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:

60. 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.

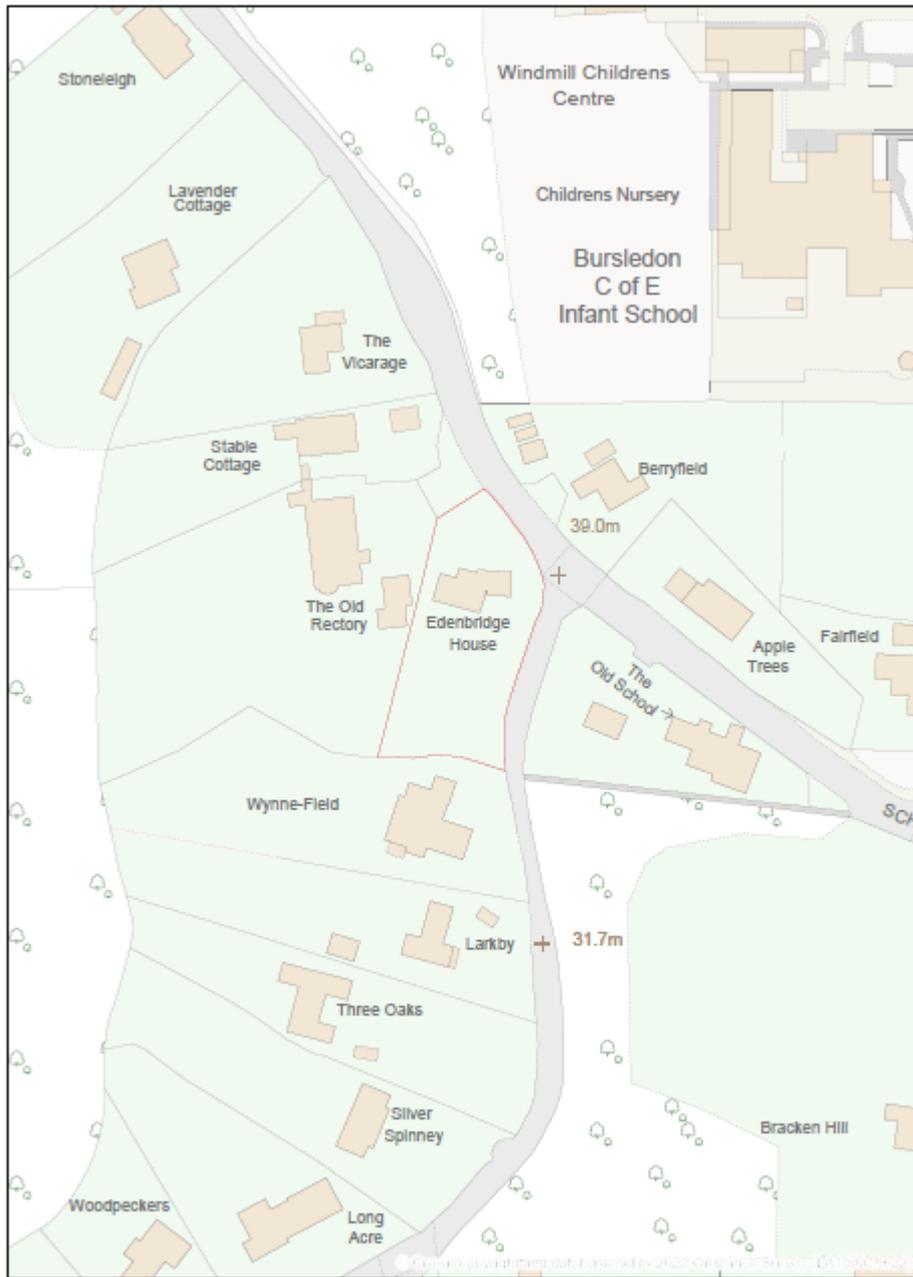
61. When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

Conclusion

62. In conclusion, the proposal would not create a dwelling disproportionately larger than the one being extended and is subservient and in proportion to the existing building in form, scale and design. Neither does it contribute to the cumulative urbanisation of the area and is not otherwise detrimental to the character of the area. The development would not harm the setting of the adjacent listed building, and it would not have a significantly harmful impact upon the amenity of neighbouring residents. For these reasons, the proposal can be recommended for approval.

63. The proposal is considered to accord with the relevant policies of the Eastleigh Borough Local Plan (2016-2036), and to guidance contained

in the Councils adopted SPD and to the National Planning Policy Framework 2021 (the Framework).



Address: Edenbridge House, School Road,
Bursledon, SO31 8BW

Date: 06/06/2022 Scale: 1:1250