

(BHH, Bursledon, Hamble and Hound Local Area Committee, 22nd September 2022)

Application Number: H/22/92887
Case Officer: Alexandra Stone
Received Date: 14/04/2022
Site Address: SKYLARK, SALTERNS LANE, BURSLEDON,
SOUTHAMPTON, SO31 8DH
Applicant: Bronwyn Curtis
Proposal: Alterations to detached garage to provide storage at first floor
Recommendation: PERMIT

CONDITIONS AND REASONS:

1. The development hereby permitted shall be implemented in accordance with the following plans numbered: 15:1998:21 Rev B

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 in the construction of the external surfaces of the development hereby permitted shall match in type, colour and texture those used on the existing building.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

4. The development must accord with the arboricultural report dated March 2022. Within the calculated Root Protection Area – defined as a distance of 12 times the diameter of the stem (as measured at 1.5m) – of any tree protected under Tree Preservation Order legislation there shall be no excavation or placement of goods, chemicals, fuels, soil or other materials.

Reason: to retain and protect the existing trees which form an important part of the amenity of the locality. Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (July 2021), 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:

5. This application has been referred to Committee by Cllr Tonia Craig, Cllr Jane Rich and Cllr Steve Holes because of its history and being controversial in the community.

Site Characteristics and Character of the Locality

6. The existing building is a detached single storey garage located at the front of the dwelling, by the roadside of Salterns Lane.
7. The building is shielded by trees and hedgerow although still visible from the road. There is a garage within the boundary of the adjacent property.
8. The site is situated in zone 8 of the Old Bursledon Conservation Area, this property is quite near the top of Salterns Lane, just two away from the Grade II listed Walnut Tree Cottage and Dolphin House on the opposite side of the road.
9. Just to the south is the large Edwardian house now split into three, known as Saltern, Hamble and Bursledon Lodges and down on the sharp corner of the lane are 1 & 2 Lynch Grove.
10. The whole area is well treed with groups having T.P.O.'s including a small group in the north-west corner of this plot.

Description of Application

11. The application is to provide a first floor storage area to the existing detached garage.
12. The existing garage is set at road level and well into the higher ground of the site. The current roof eaves are approximately level with the higher level ground and it is proposed to have a second level added for storage. Windowless and in matching materials, it will have a similar format to the brick constructed version on the opposite side of the road.
13. The proposal includes the alteration of an existing detached garage to provide domestic storage at first floor. In addition, there will be a door to the side elevation for access from the front garden area which is accessible due to topographical changes.
14. The proposal has been amended since submission in the following manner: A finial has been added to the front of the garage.

Details

Relevant Planning History

15. C/11/69790 – Permit – 15/02/2012

Formation of driveway, following demolition of existing garage and pedestrian steps with associated regrading of land, provision of car parking and reinstatement of bank

16. C/35808/007/00 – Permit – 31/07/2001

Construction of bungalow and garage following demolition of existing dwelling and garage, alterations to existing steps and temporary access for use during construction period

17. C/35808/009/00 – Permit – 28/06/2002

Amendments to planning permission c/35808/008 for replacement bungalow with basement and garage, consisting of elevational changes and increase in length of basement by 2.5 metres and erection of garden shed

Representations Received

18.2.no representations were received, 1.no objection and 1.no support.

These commented on aspects including:

- Adverse impact on the character of the area and the management proposals within the Old Bursledon Conservation Area Appraisal and Management Proposals SPD
- The current structure needs refurbishment and is sympathetic

Consultation Responses

19. Built Heritage Consultant

No Objection.

20. Tree Officer

No Objection.

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 criteria for new development);
- DM11 (Nature conservation);
- DM12 (Heritage Assets)
- DM14 (Parking)
- BU7 (Residential extensions and replacement dwellings, Old Bursledon Special Policy Area)

Supplementary Planning Documents

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

National Planning Policy Framework

21. At the 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.

National Planning Practice Guidance

22. 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

23. 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 Adopted Local Plan 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.

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.

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

25. "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:

26. The site lies within designated countryside and also falls within the Old Bursledon Conservation and Special Policy Areas. Policy DM26 allows the extension of an existing dwelling within the countryside, and the policy would reasonably include the extension of an existing domestic garage. As such the principle of the development is acceptable, subject to the details complying with the relevant planning policies.

27. As set out in policy DM1, development should not have an unacceptable impact on, and where possible should enhance residential amenities of both new and existing residents, the character and appearance of urban areas, the countryside, and the coast. DM11 - The Council will work with statutory and voluntary agencies and developers, and will determine planning applications, to: a. protect, conserve and enhance all: i. international, national and local nature conservation designations; and ii. networks of natural habitats and features, including the Local Ecological Network, Priority Biodiversity Areas and Priority Biodiversity Links, watercourses, wetland complexes, woodland trees, and trees and hedgerows important to biodiversity and local character; and facilitate their adaptation to climate change wherever possible; Eastleigh Borough Local Plan 2016-2036 79 Eastleigh Borough Local Plan 2016-2036 b. assist in achieving national, county and local biodiversity targets as set out in Biodiversity Action Plans (BAPs); c. seek a net gain of biodiversity on all development sites (including sites for redevelopment) through the protection, enhancement and connection of existing and provision of new habitats and features of nature conservation interest compatible with the native biodiversity characteristics of the Borough, having regard to local geodiversity and soils; and d. contribute to major elements of the PfSH Green Infrastructure Strategy and other strategies for the provision and enhancement of multifunctional green infrastructure including green routes, ecological networks and biodiversity enhancements (see strategic policy S9).

28. As set per Policy DM12, Development of a heritage asset or within its setting 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. The more important the asset, the greater the weight that should be accorded to this criterion. Permission for development which results in substantial harm to, or loss of, designated assets of the highest significance will be wholly exceptional.
29. As set out in Policy BU7, Residential extensions and replacement dwellings in the Old Bursledon Special Policy Area as defined on the policies map will 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....

The Council's Built Heritage Consultant has no objection to the proposed scheme, following confirmation of no objection from the Council's tree officer.

Impact on Conservation Area

30. The site also lies within a Conservation Area and Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:
31. "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".

The existing garage is set at road level and well into the higher ground of the site, the current eaves are about level with this, is to have a second level added for storage. Windowless and in matching materials, it will have a similar format to the brick constructed version on the opposite side of the road. The dark timber construction with natural slate roofing and proposed usage are entirely in keeping with the situation and tucked under the overhanging trees will hardly notice. The design and scale of the first floor garage extension would be similar to the existing garage at Rye Acre.

Design and layout:

32. The design of the first floor extension to the garage is suited to the host dwelling in terms of its form, scale and appearance.

35. The design and layout respect the character and appearance of the locality. The additional first floor would be of similar appearance, subservient to and in proportion to the existing building.

Residential amenity

33 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.

34 The proposed extension will not result in an unacceptable impact on neighbouring dwellings through overlooking, loss of light and loss of outlook.

35 Despite the additional height and additional window to first floor level, it is well shielded by the adjacent trees and set back within the ground which minimise its impact within the street scene. It will be of similar appearance of the adjacent building therefore in keeping.

Access and Parking Matters

36 The proposed first floor extension to the detached garage and would not alter the onsite parking, therefore it will have no impact on the Residential Parking Standards SPD.

Trees

37. The supplied arboricultural report satisfactorily demonstrates that the significant, protected tree can be retained without significant impact. The findings of this report can be conditioned to secure the protection of the tree.

Sustainable Development:

38 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.

39 The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

Equalities Implications:

40 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.

41 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

42 In conclusion the proposal represents a modest and appropriate addition to the existing building, preserving the character and appearance of the conservation area and wider area. Furthermore the proposal would not harm residential amenity, trees or highway safety. The proposal accords with the relevant policies of the Eastleigh Borough Local Plan (2016-2036), and to guidance contained in the Councils adopted SPDs and to the National Planning Policy Framework 2021 (the Framework).

43 The proposal is recommended for permission subject to conditions

Skylark, Salterns Lane, SO31 8DH

