HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. F/13/73762

DESCRIPTION	Retention of outbuilding at rear.
ADDRESS	1 Lilydale Cottages Portsmouth Road Bursledon Southampton SO31 8EQ

SITE VISIT DATE	23/01/2014
ARE PLANS ACCURATE?	Amended plan 20/01/14 now shows store to side of building and description of building correctly.
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The building has been erected on site and measures 6m wide by 5m deep by 3.60m in height. The building consists of a store area that houses 2no. motorbikes, a lounge area, a cupboard and a small shower and toilet, to the side is a lean-to store 1m wide.
TOPOGRAPHY	The site level drops towards the rear boundary so the structure is set quite a lot lower than the house. This is common for properties along this part of Portsmouth Rd. Gardens also step down east to west, therefore the end part of the garden to 1 Lilydale is approx 0.5m higher than 2 Lilydale.
TREES	No protected trees
BOUNDARY TREATMENT	1.80m high close board fencing around rear garden. The panels adjacent to the building are not fixed but will be rectified when render finish is completed on outside walls. Trees and hedging along rear boundary.
SITE CHARACTERISTICS	Semi detached two storey property with a relatively long rear garden that drops down significantly in ground level. Small detached brick store near to house.
CHARACTER OF LOCALITY	Residential, characterised by a mix of Victorian/Edwardian semi detached pairs, some detached and small rows of terraces within the area.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/13/72595	Erection of detached workshop	Withdrawn 05/09/13

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
2 Lilydale	Lounge is used for overnight accommodation. Description has changed from workshop to outbuilding. Height of building does not match plans.

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	Loss of privacy of rear garden. Would like fence height increased. Adjacent store not shown. Possible encroachment.
5 Redcroft Lane	Does not want building used as workshop or permanent accommodation. Visually intrusive.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Bursledon Parish Council	Do not object to the building but object to the building being used for residential use and request the lounge, shower and toilet to be removed.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area

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

Eastleigh Borough Local Plan Review (2001-2011) 59.BE
Revised Draft Eastleigh Borough Local Plan 2011-2029
Supplementary Planning Guidance : Quality Places
Supplementary Planning Guidance: Residential Parking Standards

CHARACTER APPRAISAL AREA

Bursledon, Hamble-le-Rice and Hound Character Area 16

SPECIAL POLICY AREA

n/a

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, trees, street scene and character of the area

COMMENT ON CONSULTATION RESPONSES

COMMENT ON CONSULTATION RESPONSES

		See below		

COMMENT ON REPRESENTATIONS RECEIVED

			See below		

PLANNING OBLIGATION/CONSIDERATIONS

Not applicable

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

MATERIAL CONSIDERATIONS

Policy 59.BE of the Local Plan 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, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

The previous application F/13/72595 was withdrawn in September 2013 due to inaccuracies on the plans and application forms and insufficient information concerning the use of the building.

The size and design of the building is considered to be sympathetic to the existing property and the character of the locality. The building is of a standard design expected of an outbuilding in a residential garden. Although the structure is large, the site has a very good sized remaining garden area so the proposals are not considered to result in the overdevelopment of the plot. The building has extended an existing outbuilding increasing the footprint by approx. 50% and altering the roof pitch. The ownership certificate shows that there will be no encroachment, this was also confirmed by email on the previous application F/13/72595.

There would not be an unacceptable impact to neighbouring properties by way of a loss of light, outlook, overbearing impact or overlooking due to the size, siting and design of the building. The garden to the rear of the site at 5 Redcroft Lane sits on lower ground than the house. Due to the siting of the building being approx. 7m from the rear of no. 5 Redcroft Lane and the presence of a thick line of trees and hedging, no visual impact from the development is considered. The building does not have any rear or side facing windows to warrant any overlooking from the

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

development. The neighbours at 2 Fountain View share the same ground level as the application site so the proposals would not result in a visually intrusive structure. The neighbours at no. 2 Lilydale has a ground level that drops further than the application site at the bottom of the garden. As the structure is set quite some distance from the main amenity space of this neighbour (immediately outside the rear of the property) then no visual impact or overlooking is considered from the development.

The applicant verbally states that the building is used as an ancillary form of accommodation and storage for use by himself and his children. As there is no kitchen shown then it is considered there will only be an ancillary use to the building and not use as a separate dwelling. Conditions will be put on the decision to ensure this is the case and to prevent its business use as a workshop.

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The development is just within flood zone 2, The Environment Agency was not consulted as this is a retrospective non habitable building on the very edge of the flood zone.

The development complies with the requirements of Policy 59.BE.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSION

Permit with conditions.