HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. F/13/73300

DESCRIPTION	Change of use from agricultural land to residential garden
ADDRESS	Keepers Cottage Allington Lane West End Southampton SO30 3HP

SITE VISIT DATE	10/10/2013
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes. Site notice was erected on 09/10/2013.

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application seeks approval for the change of use of an area of agricultural land, approximately 0.09ha in size, to residential garden. The land is currently used as a paddock for the grazing of horses and adjoins/borders the existing curtilage of Keepers Cottage to the east.
SITE AREA & TOPOGRAPHY	The site covers approximately 860m2 and is gently undulating.
TREES	No existing trees will be affected by the proposals. The applicant has proposed additional planting in the form of leylandii hedging as well as Common Whitebeam trees as a means of providing further enclosure to the southern and western boundaries of the site.
BOUNDARY TREATMENT	A new hedge has been planted along the front of the site in front of a post and rail fence. The hedge is currently low level allowing views over the wider countryside.
SITE CHARACTERISTICS	Grazing land within designated countryside. Area is enclosed and sits adjacent to existing parcels of grazing land and a residential property, Keepers Cottage, which are all within the applicant's ownership.
CHARACTER OF LOCALITY	The site is rural within a large area of countryside This site sits alongside Allington Lane (C road) which is bordered by matures trees and hedgerows with the occasional views over the wider countryside.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/19261/003	Construction of two storey rear extension following demolition of existing sun room and store.	Permit 25/04/2002
F/10/67403	Provision of dropped kerb	Permit 14/09/2010
F/11/69409	Erection of detached store	Permit 16/11/2011

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
West End Parish Council	(16/10/2013): West End Parish Council made the following comment(s): *Councillors decided they had no objections to these plans. They did however express concerns about the possibility of any future development on this plot.*
Head of Countryside and Trees (Ecology Officer)	No objection - The area comprises improved grassland, which appears to be used for equine uses and I would assess it to have low biodiversity value.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside of Built-up Area Boundary Within Designated Countryside Within an Area Designated for Landscape Improvements Locally Listed Building (Keeper's Cottage)

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

Eastleigh Borough Local Plan Review (2001-2011), Saved Policies: 1.CO, 20.CO & 59.BE
Revised Draft Eastleigh Borough Local Plan 2011-2029, Strategic Policy S9 & DM1.
Supplementary Planning Guidance: Quality Places

CHARACTER APPRAISAL AREA

The site is not within a designated character area.

SPECIAL POLICY AREA

The site does not fall within a designated special policy area.

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 the impact of the proposals on the character of the area and the countryside location of the site.

COMMENT ON CONSULTATION RESPONSES

None received		See below	X	
Comments are noted				

COMMENT ON REPRESENTATIONS RECEIVED

None received	X	See below		
Other …				

PLANNING OBLIGATION/CONSIDERATIONS

Planning obligations are not applicable to this application.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

Principle:

The proposal is to extend a private residential garden into an area of unspoilt countryside. This is contrary to Saved Policy 1.CO of the Local Plan that clearly states “the extension of private gardens into countryside will not be permitted.” This is to maintain the rural character of the locality and limit urbanisation. As such Policy 1.CO covers all garden extensions that result in a loss of countryside.

The proposal is also contrary to guidance within the NPPF (National Planning Policy Framework) which looks for planning to take account of the different roles and characters of different areas including recognising the intrinsic character and beauty of the countryside (para 17). The NPPF does make some allowance for development which promotes a strong rural economy (para 28). However, the garden extension is solely for the dwellings residents and has no benefits to the wider economy or community. As such the proposal would be in direct conflict with Saved Policy 1.CO of the Eastleigh Borough Local Plan, Policy S9 of the Revised Draft Eastleigh Borough Local Plan and the National Planning Policy Framework.

Impact on the character and appearance of the countryside location:

The dwelling already has a sizable garden that stretches around its side and by 29m to its rear. A further section at the property’s south western corner appears to have been converted into residential garden without the benefit of planning permission. The proposal will add an additional 860m2 of garden area to the dwelling, which added to the existing is considered excessive for a residential property and will result in the loss of a significant proportion of the rear field. On this basis it is difficult to find any justification for the proposal. I am also concerned that the site has no access from the existing dwelling and as it is completely enclosed will create a completely separate area.

The site is located within a large area of countryside some distance from the urban edge and so has a strong rural character. In addition the garden extension would be within a prominent part of the field

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

running parallel to Allington Lane for a distance of 55m. Its significant size and characteristics are very different from the edge of settlement appeal decisions quoted in the supporting statement.

From the site visit I saw that a new hedge has already been planted along its boundary with Allington Lane. Once established this will restrict views into the open field. Although this form of boundary treatment is common along Allington Lane, I am concerned about views of the garden from other strategic points within the surrounding countryside. Even though the land concerned may not be permanently built upon, the dividing up of the field and the urbanising affect of garden buildings, fencing/ walls, and all the other paraphernalia associated with the use of the land as a domestic garden will have a detrimental impact on the rural characteristic and appearance of the locality.

Overall, the proposals are in direct conflict with Saved Policy 1.CO of the adopted Local Plan and there are no material considerations to indicate that a decision should be made other than in accordance with the development plan.

It is also noted that the site is within a landscape improvement zone. However, it is considered that the proposed landscaping does not make a positive contribution towards improving the character and appearance of the countryside location. It is also considered that the applicant's willingness to contribute towards such improvements is not sufficient to overcome the reason for refusal.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSION

The application is recommended for refusal.