HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. F/12/71236

DESCRIPTION	Construction of detached garage
ADDRESS	Blue Haze Heath House Lane Hedge End Southampton SO30 0LE

SITE VISIT DATE	31/08/2012
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application seeks approval for the erection of a detached single garage measuring 6.1m in length, 3.1m in width and 2.9m in height. The garage will have a pitched tiled roof and will be situated in the rear garden of the property at a distance of approximately 150mm from the western boundary.
TOPOGRAPHY	The site as a whole slopes from north to south but is relatively flat in the area in which the proposed garage will be situated.
TREES	There are no trees in the vicinity of the proposed development.
BOUNDARY TREATMENT	1.8m high close boarded fencing.
SITE CHARACTERISTICS	The application dwelling is a brick-built 1960s style bungalow set on a medium sized plot with a relatively large gravelled driveway to the front and a turfed rear garden. The property previously had a large detached garage (approx. 4.8m x 5.9m) sited in the north-eastern corner of the plot which has relatively recently been removed.
CHARACTER OF LOCALITY	The northern side of Heath House Lane in the vicinity of the application site consists of single storey bungalows similar in design and type to Blue Haze. The property to the west, Trenholme, as well as the dwelling to the north, 11 Heath House Gardens, both have detached single garages which are similar in size and design to that proposed as part of this application.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Hedge End Town Council	No objection
Southern Electric	No response received
Head of Environmental Health	• The development site is located within an area identified by this service as being a former Brick Works; as shown on historical ordnance survey mapping • We do not know if the excavation was later backfilled • The mapping shows that a kiln was located in close proximity to the development site The proposed development has the potential to be effected by ground gases produced from any backfilled material. Therefore consideration has to be given to the end use of the proposed development as well as the proposed construction scheme. I recommend that the following condition is imposed: "The finished development is prohibited from being used and / or converted into a habitable living space – to protect the inhabitants from (potential) ground gas contaminates in the ground".

POLICY CONTEXT

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

DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011) Saved Policy 59.BE
Eastleigh Borough Local Plan (2011-2029) Pre-Submission Consultation August 2012 – Policies DM1
Supplementary Planning Guidance : Quality Places

CHARACTER APPRAISAL AREA

Hedge End, West End and Botley Character Area – HEWEB 72 – Summary Description Only

SPECIAL POLICY AREA

N/A

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

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

COMMENT ON CONSULTATION RESPONSES

None received		See below		Other	X	

COMMENT ON CONSULTATION RESPONSES

Whilst the comments of the Head of Environmental Health in respect of the application are noted, it is not considered in this case that the suggested condition restricting the use of the proposed garage should be imposed as it is deemed to be neither necessary nor reasonable in respect of the development proposed. It therefore fails to comply with the requirements of both *Circular 11/95: Use of conditions in planning permission* and Paragraph 206 of the National Planning Policy Framework which stipulate that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.

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

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

Development Plan Policies:

Eastleigh Borough Local Plan Review (2001-2011):

Saved Policy 59.BE of the adopted Eastleigh Borough Local Plan Review (2001-2011) 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.

Eastleigh Borough Local Plan (2011-2029) Pre-Submission Consultation August 2012:

Whilst the Eastleigh Borough Local Plan Review (2001-2011) remains the adopted development plan for the purposes of the determination of the planning application, a revised Local Plan which will replace this document has been drafted and is now at pre-submission consultation stage; whilst this draft and the policies contained within it can have only limited weight due to the unadopted status of the plan, it is still considered that it is a material consideration in the determination of this application. The relevant policies to this application are:

Policy DM1 (General criteria for new development) which is a replacement for the aforementioned Saved Policy 59.BE of the current Local Plan and essentially replicates its requirements in relation to developments of the nature proposed as part of this planning application.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Assessment of Proposal:

The application seeks approval for the erection of a detached single garage measuring 6.1m in length, 3.1m in width and 2.9m in height. The proposed garage will have a pitched tiled roof and will be sited within the north-western corner of the application site within relatively close proximity to the western boundary of the property at a distance of approximately 150mm.

With regards to its size and design, the proposed garage is considered to be sympathetic to the existing dwellinghouse and will be in-keeping with similar garages at neighbouring properties in the immediate vicinity of the site. Whilst the front of the garage will be visible from the street it will have no significant impact on the street scene given that it is set well back from the highway within the rear garden of the property.

In terms of residential amenity, there will not be any unacceptable impact to neighbouring properties by way of a loss of light, outlook, overbearing impact or overlooking due to the nature and the siting of the proposed development. The garage will be situated such that it is predominantly alongside that of the neighbouring property to the west and is set in from the rear boundary of the property minimising any potential impact on neighbouring dwellings.

The site is also considered to retain a good sized garden therefore the proposals are not considered to result in the overdevelopment of the plot.

Overall, the development is considered to comply with the requirements of Saved Policy 59.BE of the current adopted Local Plan and Policy DM1 of the Eastleigh Borough Local Plan (2011-2029) Pre-Submission Consultation August 2012.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other/other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSION

The application is recommended for approval subject to conditions.