REF. NO. F/14/74790

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Erection of a single storey attached garage to side and change of use of open space to domestic garden to include enclosure by a 2m high brick wall (Part Retrospective) 1 Tutor Close Hamble-Le-Rice Southampton SO31 4RU

SITE VISIT - Yes

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The single storey garage is positioned at the side of the property. The structure has a flat roof and measures 3.1m(w) by 3.1m(d) by 3.65m(h). The proposal involves moving the current 2m high boundary wall out at the side of the house/ garden so that it is positioned directly adjacent to the pavement. The replacement wall will match the pattern and materials of the current boundary wall.
SITE AREA	244m2 (Approximately)
TOPOGRAPHY	Relatively flat
TREES	There is one small tree along the site that will need to be removed to make way for the proposal. The tree is not covered by a TPO and is not of a high enough amenity value to warrant this level of protection.
BOUNDARY TREATMENT	2m high wall
SITE CHARACTERISTICS	The site is a small strip of landscaping adjacent to Tutor Close.
CHARACTER OF LOCALITY	Residential

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
1 letter of objection	<u>First letter to the Planning Authority</u> This is the building of a garage alongside the property. It doesn't allow for the 1meter allowance from the boundary and is illegal and an eye sore. If this is allowed I fear that the rest of the estate will follow. As well as this, the roofing structure will be well over 2 meters and will over hang the public foot path. This is an illegal structure and it should be

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	removed by law.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Parish Council	It was resolved to leave the decision to the Officer with a concern at the loss of public open space.
Engineering and Transportation	The Engineers have visited the site and spoken to the applicant. Following this the applicant has submitted amended plans with the wall angled at the outer corner of the site. This will allow visibility for cars around the corner. The Engineers are now satisfied that the scheme addresses their original concerns. <u>Original Comments</u> The submitted drawings are not clear on detail. However there are concerns from a highway safety aspect with this wall which partially restricts forward vision around the bend in road. It is not clear on how far set back from the back edging line of footway the new wall would be, there is no drawing showing foundation construction and whether the footway is needing to be excavated to build the wall. Also the drawing submitted indicates a projection out over the footway, it is not dimensioned how far out over the footway the projection extends or the height of the projection over the footway. Projections over a footway where authorised normally need tohave a clearance over the footway of a minimum of 2.4m.
Tree Team	No objection

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), saved policies: 59.BE

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014: DM1
(the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and
- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014'

Supplementary Planning Documents:
Quality Places
Residential Parking Standards

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.

COMMENT ON CONSULTATION RESPONSES

Noted. Comments will be discussed in the assessment section.

COMMENT ON REPRESENTATIONS RECEIVED

Comments regarding the appearance of the wall and garage and impact on the character of the locality will be considered within the assessment section.

PLANNING OBLIGATION/CONSIDERATIONS

None

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."*

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.

Proposal

The proposal is to retain the newly built single storey garage and to move the garden wall outwards so that both structures abut the pavement at the side of the property. The wall will also extend slightly in front of the garage and will angle in at the far corner to meet the existing rear wall. The scheme has been amended since the original submission, so the landscaping strip and existing wall is retained at the rear of the garden.

Character and Appearance

The garage has already been constructed at the side of the house and projects in front of the established building line. Although the garage is in a prominent position, it is a small single storey structure and once the 2m high wall has been relocated the garage should fit better within the street scene. The replacement wall will match the panel effect, materials and height of the existing wall and so help it integrate into the existing property.

It is a shame that the garden enlargement and replacement wall will result in the partial loss of the small grassed area and one of the little trees at the side of the property. However, the scheme has

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

been amended so that around half of the strip and some of the trees will be retained (i.e. the section to the rear of the garden and at the far corner). There are also a number of small grassed areas, trees and hedging in close proximity of the site and as such the partial loss of the landscaping strip is not considered to materially harm the character and appearance of the locality.

Other Issues

- The far corner of the wall has been angled where it connects to the existing wall. This has been done to allow visibility for cars traveling around the bend in Tutor Close. As such no objection has been raised by the Engineering Team.
- The single storey garage and wall is not directly alongside another dwelling and will not result in a material impact on residential amenity, by way of a loss of light, outlook or privacy.
- The proposal will mean the removal of one tree. However, this is a small specimen and does is not covered by a TPO and is not of a high enough amenity value to warrant this level of protection. As such no objection has been raised by the Tree Team.
- The grassed area has a low biodiversity value. The site is not within a HRA (Habitat Regulations Assessment) screening zone and the small householder development is not considered to result in a likely significant impact on a European Protected site (SPA,SAC or Ramsar).

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. 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.

CONCLUSIONS

Recommend Permit