HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. F/17/79839

DESCRIPTION	Construction of detached garage with first floor accommodation above
ADDRESS	Green Acres Blind Lane West End Southampton SO30 2HJ

SITE VISIT DATE	8/2/17 and 1/3/17
ARE PLANS ACCURATE?	Sufficient to determine
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes and site notice posted 8/2/17

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	• The application is proposing a two storey detached garage with first floor accommodation • The garage would be 5.5 metres in height, project 9.5 metres in depth and extend 6 metres in width
TOPOGRAPHY	• The site slopes gently down to the south
TREES	• None which are protected
BOUNDARY TREATMENT	• Low timber rail fencing, large trees to the north and shrubs around the site
SITE CHARACTERISTICS	• The application site contains an L shaped two storey dwelling which sits at a curve in the road • The dwelling is set back from the highway but clearly visible • There is a large area at the front for parking and the rear backs onto countryside • There is a public right of way which runs parallel to the site
CHARACTER OF LOCALITY	• Blind Lane is a narrow road which extends from Burnetts Lane to Botley Road • There are some houses sited at the Botley Road exit to the north, this host dwelling is an anomaly on the southern side of the highway

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
WIR13170	Erection of house for owner of land in pursuit of smallholding activities (Outline)	REFUSE – 21/02/1967
WIR20880	Erection of agricultural dwelling following demolition of The Bungalow, Blind Lane, West End.	OUTLINE CONSENT – 08/07/1971
WIR20880/001	Erection of agricultural dwelling and garage, following demolition of The Bungalow, Blind Lane, West End	APPROVED – 23/08/1971
WIR20880/002	Erection of sun lounge	PERMIT – 03/05/1972
Z/13895/001	Use of redundant farm buildings for workshop and storage purposes	REFUSE – 12/02/1993
F/05/55878	Erection of detached double garage, following demolition of existing garage	PERMIT – 15/02/2006
U/14/74370	Application for lawful certificate for an existing use: occupation as a private dwelling in breach of condition 3 of planning permission WIR20880	CERTIFICATE ISSUED – 10/06/2014
F/15/75884	Construction of 2 storey front and side extension following removal of existing garage, addition of replacement front porch, and elevational alterations to existing dwelling.	PERMIT – 07/04/2015
F/15/77714	Two storey side extension & erection of 2 storey detached outbuilding	REFUSED – 1/3/2016

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None received	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
BOT	No objection
HPP	No objection
HEH	No objection
Southern Water	Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Local Gap Within Designated Countryside Outside Built-up Area Boundary

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

Eastleigh Borough Local Plan Review (2001-2011), saved policies 1.CO, 3.CO, 9.CO, 59.BE

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, policies S9, DM1, DM24, DM26 (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 Guidance : Quality Places (2011)

Supplementary Planning Guidance: Residential Parking Standards (2009)

CHARACTER APPRAISAL AREA

NA

SPECIAL POLICY AREA

NA

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

Of particular relevance to this application are both paragraph 17 which *inter alia* states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, as well as *Section 7: Requiring good design* which stipulates that good design is a key aspect of sustainable development and is indivisible from good planning; that planning decisions should address the connections between people and places and the integration of new development into the natural, built and

NATIONAL PLANNING POLICY GUIDANCE

historic environment; and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. In addition, Paragraph 109 states that “the planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes”.

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

Noted

COMMENT ON REPRESENTATIONS RECEIVED

None received

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."

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

MATERIAL CONSIDERATIONS

Saved 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.

Principle and Impact upon the Character and Appearance

The site falls within designated countryside, where there is a general presumption against residential development (Saved Policy 1.CO). Saved Policy 9.CO does, however, allow for the construction of domestic extensions to existing properties which conform to the criteria as specified above. The principle of an extension to the property is therefore considered to be acceptable.

Saved Policy 1.CO aims to protect the countryside within the Borough and states that development will not be permitted outside the urban edge unless for agriculture, forestry, horticulture, outdoor recreation, essential public utilities or if it meets other criteria within the Local Plan.

Saved Policy 3.CO states that planning permission will only be permitted for appropriate development in a local gap, if: (i) it cannot be acceptably located elsewhere; and (ii) it would not diminish the gap, physically or visually.

Saved Policy 9.CO relates to domestic extensions to existing dwellings within designated countryside. This policy states that extensions within countryside will only be permitted if they meet certain Criteria, with the most relevant being that the development must not be likely to facilitate the subdivision of the property into more than one dwelling, the development does not result in the property being disproportionate in size to surrounding properties and the design does not materially worsen the impact of the dwelling on the surrounding countryside.

The application has been submitted following a refusal in 2016 at the application site for a two storey side extension & erection of 2 storey detached outbuilding. The application was refused for the following reasons:

(1) The proposed extension and outbuilding owing to their collective scale, design, and siting, when taken in combination with the prominent visibility of the site from Blind Lane, the adjoining fields, and adjacent public right of way, are considered to result in a development which will significantly materially worsen the impact of the dwelling on the surrounding countryside to the detriment of its prevailing character, as well as

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

serve to physically and visually diminish the designated Local Gap which the site forms part. The proposals are therefore deemed to be contrary to Saved Policies 3.CO, 9.CO and 59.BE of the Eastleigh Borough Local Plan Review, Policies S9, DM1 and DM26 of the Submitted Eastleigh Borough Local Plan 2011-2029, and the provisions of Section 7 of the National Planning Policy Framework

(2) The proposed detached outbuilding owing to its height, scale, and siting, is considered to be an unsubservient and obtrusive visual feature which will appear unduly visually prominent from surrounding views and notably overdominant of the property frontage, to the detriment of the character of the Blind Lane street scene and the surrounding countryside. The proposals are therefore deemed to be contrary to Saved Policies 9.CO and 59.BE of the Eastleigh Borough Local Plan Review, Policies S9, DM1 and DM26 of the Submitted Eastleigh Borough Local Plan 2011-2029, and the provisions of Section 7 of the National Planning Policy Framework.

A third reason for refusal has not been included as it related specifically to the extension. This resubmission other than the omission of the two storey side extension has not addressed the reason for refusal regarding the garage. At two storey the garage would be a substantial structure as a result of its height in combination with the proposed footprint. The previous application had raised concerns about the siting of the garage in such close proximity to both Blind Lane and the public right of way, from 'both of which it will be eminently apparent'. During a recent site visit no such structure were observed along Blind Lane and there is still a concern with the siting of the garage. The character of Blind Lane is such that no structures are placed in such close proximity to the highway, the houses are set back and boundary treatments consist of hedges and trees. Had the proposal been proposed to be sited further back into the site more in line with the host dwelling then there would be less concern about the impact upon Blind Lane.

Much like the refused application, the garage is deemed to be an unsubservient and obtrusive visual feature which will appear notably overdominant of the property frontage particularly when viewed within the Blind Lane street scene. Further to which owing to its scale, design, siting and prominent visibility, will significantly materially worsen the impact of the dwelling on the surrounding countryside to the detriment of its prevailing character, as well as serving to physically and visually diminish the Local Gap which the site forms part of. In this regard the application is contrary to Saved Policies 3.CO, 9.CO and 59.BE of the adopted Local Plan, and the provisions of Section 7 of the National Planning Policy Framework.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Residential Amenity

There are no immediate neighbours who will be affected by the proposal.

Highways

The head of Transportation and Engineering raised no concern with proposal.

Drainage

Southern Water had commented that a public sewer maybe crossing the site and an investigation will be required if one is found. A note to applicant would have been attached had the application been considered acceptable.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSION

The proposed detached garage owing to its height, scale, and siting, is considered to be an unsubservient and obtrusive visual feature which will appear unduly visually prominent from surrounding views and notably overdominant of the property frontage, to the detriment of the character of the Blind Lane street scene and the surrounding countryside. The proposal is therefore deemed to be contrary to Saved Policies 9.CO and 59.BE of the Eastleigh Borough Local Plan Review, Policies S9, DM1 and DM26 of the Submitted Eastleigh Borough Local Plan 2011-2029, and the provisions of Section 7 of the National Planning Policy Framework.