

DELEGATED OFFICER REPORT

Application Ref: H/20/89146

Site Address: TANERA, CHURCH LANE, BURSLEDON, SOUTHAMPTON, SO31 8AB

Case Officer: Naomi Arnold

Description: Proposed two storey rear and side extension, loft conversion, external re-modelling, erection of front boundary wall and gates, and replacement shed

Particular Site Constraints?	Yes ☒	No ☐
Within Established Residential Area Outside Built-up Area Boundary - Countryside Old Bursledon Special Policy Area		

Planning History?	Yes ☐	No ☒
Details ...		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	Crossfield, Church Lane - <i>objecting to the size, style and placement on the plot of the proposed new building, overdevelopment and intrusive to our privacy</i> Mistral, Church Lane - <i>no objections to the applicants making improvements to Tanera as we believe it will improve the street scene and potentially add value to surrounding properties. However the following needs to be considered: whether Tanera will be disproportionate in size to Mistral along with the neighbouring properties, potential impact of the Velux Cabrio balcony window on the privacy of properties in the surrounding area, effect on visual amenity, overshadowing etc, positioning of a front boundary wall, ensure minimal disruption and inconvenience to ourselves and neighbouring properties during the building work.</i> <i>From our bedroom window we will lose the lovely panoramic views towards St Leonards Church and the surrounding area which we so much enjoy....One of the reasons we fell in love with Mistral was the uninterrupted views of trees and greenery from the back of our house and now we're extremely concerned we will lose this.</i> Charlton, Church Lane - <i>The applicants have created a beautifully designed property that does not appear to impact the landscape as much as the permitted Hamblewell development. Concerns - The proposed large glass windows at the back, Juliet balconies on the first floor, and Velux balcony in the roof would essentially provide viewing platforms for all the gardens within the conservation area, including ours. We propose that these aspects should be reconsidered.</i>		
Parish Council:	DO NOT OBJECT with the following condition attached. <i>Appropriate management of vehicles during the construction phase so as not to interfere with normal traffic flow.</i>		
Ecology:	<i>This application has been flagged up for being within 50 m of Green Mountain Fringe-moss, <i>Racomitrium fasciculare</i>, a notable species. This is a moss that is quite rare in the south of England but more common in the north and west. It is not likely that it is growing on the property, but if it is found it would be on exposed rocky areas, dry stone walls, roof tiles or slates. Sometimes it grows on rocks in the shade. The applicant should be notified that in case this moss is found on site it should be left where it is growing if possible. If not, then it can be moved along with the surface it is growing on to a nearby site with a similar environment (sunshine, moisture, exposure, etc.).</i>		

Hampshire Countryside Service:	<i>Bursledon Footpath 509 to the west is unaffected by the proposals. We therefore have no objection</i>
BROWAPG:	<i>Object - There seems to be little desire to embrace the character of the OBCA and to ease Tanera into it. The OBCA Supplementary Planning Document (2011) states that extensions to the newer properties have significant potential to harm the character of Zone 4 and the setting of the listed church, because of their prominence and proximity to the church. Furthermore, development that significantly increases the urbanisation of the character zone or has an adverse impact on the setting of the church will not be supported.</i> <i>Tanera, and the other properties in Church Lane and Station Road included in Zone 3 of the Old Bursledon Conservation Area (OBCA), and Special Policy (SPA), have an important role to play in safeguarding the setting of the Grade 2 - listed St Leonard's Church, the main feature and focal point of Zone 4. The large, open, rear gardens, an ancient footpath and a permissive footpath collectively bridge the gap between the houses in Church Lane and the Church in Zone 4 and Greyladyes Park, at the heart of the OBCA in Zone 5. They are very close to the core of Old Bursledon and very much part of the OBCA and SPA.</i>
Built Heritage:	<i>From a conservation perspective, the proposal will in no way either maintain or enhance the conservation area and it appears the scheme is rather ambitious in terms of floor area and volume compared to the accepted policies for The Old Bursledon Conservation and Special Policy Area. Holding objection.</i> <i>Following the extra information supplied by the agent for this application dated 19th.April and sent to me on 22nd.April giving far more clarity and enhancing the areas of confusion, further comment is made below as relevant.</i> <i>While still quite extensive, this latest elevation without glazed gables brings the appearance down to more normal percentages that will not dominate the area.</i> <i>...a suitably revised design that I can accept – holding objection withdrawn.</i>

Site Visit:	Yes ☒	No ☐
Details: 04/12/20		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"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."</i> The site also lies within a Conservation Area and Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states: <i>"In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".)</i>
Policy:
National Planning Policy Framework National Planning Practice Guidance Development Plan: <u>Eastleigh Borough Local Plan Review (2001-2011)</u> saved Policies 25.NC, 1.CO, 9.CO, 59.BE, & 179.LB

The Eastleigh Borough Local Plan 2011-2029 was submitted for examination in July 2014 but the Inspector concluded that insufficient housing was being provided for in the Plan and that it was unsound. While this has not been withdrawn and remains a material consideration, it can therefore be considered to have extremely limited weight in the determination of this application.

The Eastleigh Borough Local Plan 2016-2036 was submitted to the Planning Inspectorate on 31st October 2018 and the examination hearings concluded in January 2020. The Council received the Inspector's post-Hearing advice on 1 April 2020. The Council is progressing with modifications to the Local Plan to enable its adoption, anticipated in late 2020/early 2021. Given the status of the Emerging Plan, it is considered that overall moderate weight can be attributed to it. The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM11 DM12, DM14, DM28. and BU9

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Bursledon, Hamble-le-Rice and Hound Character Area – BHH 23

Assessment:

The proposed development site comprises of the property Tanera, Church Lane, a detached two storey three-bedroom dwellinghouse positioned to the southern side of the road. The property lies within a generous sized plot, set back from the road parking to the front leading to a side adjoining garage, set slightly forward of the principle elevation. To the rear of the property is long rear garden amenity space well screened by a mixture of high hedging and vegetation. The surrounding area is low density mixed residential area of Old Bursledon. The area is noted for its semi-rural character of scattered housing served by narrow country lanes with well-established hedgerows banks, walls and trees. The nearby Church of St Leonards, Church Lane is a Grade II Listed Building.

The urban edge boundary has been drawn to exclude Old Bursledon because of its semi-rural character and even the construction of single dwellings would erode its special character and should be resisted. However appropriate changes of use, extensions to existing buildings, appropriate replacement buildings or the construction of suitable ancillary buildings, such as domestic garages, are not precluded, provided that they are not detrimental to the character of the area either in themselves or by reason of additional traffic movements.

Following the submission of plans, further amendments have been made and additional supporting information submitted to address concerns raised by EBC Heritage Consultant regarding the impact on the character of the Conservation area and residential amenity.

Additional information and revised plans demonstrate:

- Correct positioning of glazing across the 1st floor at the back of the house, and the "privacy borders" (nibs) in accordance.
- The opening on the second floor (attic) from the front gable has been corrected to show the accurate arrangement
- The gable over-hang on the 2nd floor / roof where the Soffit, Fascias and Guttering is corrected (demonstrating that this will be kept consistent around the roof).
- More detailed design elements and materials
- Boundary distances and proposed street elevations

Principle of the development:

The site falls within an area designated as countryside, the Old Bursledon Conservation Area and the Old Bursledon Special Policy Area. Any planning permission would be subject to the particular development proposal put forward being considered to be appropriate in terms of its design, scale, siting and form, as well as with regards to its impacts in a range of respects which include upon highway safety, residential amenity, trees, and upon the character of the locality. Initial comments on these and other relevant

material considerations are provided in the sections below with these being based upon the information submitted and currently available.

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.

Policy 179.LB relates to the Old Bursledon Special Policy Area and states - In order to protect the special loose-knit character of Old Bursledon (as identified on the Proposals Map) and to ensure the retention of existing open areas, further development will be refused within the special policy area with the exception of replacement dwellings, appropriate extensions or changes of use, provided that these respect and enhance the character of the Special Policy Area.

Policy 9.CO relates specifically to residential extensions within designated countryside. Extensions to existing dwellings in the countryside will only be permitted if all the following criteria are met:

- (i) the dwelling is not subject to an agricultural occupancy condition;
- (ii) the development is not likely to facilitate the subdivision of the property into more than one dwelling;
- (iii) the extension does not result in the dwelling becoming disproportionate in size to neighbouring properties or disproportionate in relation to its plot; and
- (iv) the design of the extension does not materially worsen the impact of the dwelling on its immediate surroundings or the countryside in general.

Policy BU9 is supported by The Council's adopted SPD: Old Bursledon Conservation Area Appraisal & Management Proposals, which identifies this area as Character Zone 3. Within the SPD It mentions:

A feature of the character of Old Bursledon is the relationship of plot to building size.

Although there is variation, many large plots throughout the area are occupied by buildings of a size that create and maintain space and openness. In some places where properties have been extended unsympathetically, this sense of space within the plots have been eroded, creating a more urban character harmfully impacting on the rural and historic character of the area. The LPA will seek to retain the sense of space and openness within plots which makes a vital contribution to the character of the conservation area. Proposals that result in a detrimental impact Old Bursledon Conservation Area Appraisal and Management Proposals

Appraisal and Management Proposals on the visual character of the area will not be acceptable. Development should take account of the shape of the plot. Applications which erode this character will be refused.

Character and Appearance

In isolation, from an architectural perspective, the overall design of the proposal, creates extensions that are not subservient to the existing dwelling with regards to level of set back and roof height and formation, however it is so integrated with the existing property that it does not immediately look as though the house has been obviously extended. This is on occasion deemed suitable for some detached properties with appropriately sized plots. The LPA is entitled to consider the cumulative effect of similar decisions that would cause harm, but the possibility of precedent should not lead to a refusal where there are other good reasons for allowing a development.

It is acknowledged that the agent has designed a development to perfect a style of a modern, country house that aligns with the urban character of Bursledon, the current proposal seeks to significantly alter the appearance and scale of the existing dwelling resulting in it looking markedly different to the original dwellinghouse.. The significant change in the appearance of the dwelling does not raise any immediate significant

concerns, as the prevailing character is of a mixed nature and appearance with an eclectic range of house types, there is not a definable character to the development types within the immediate street scene.

Tanera is typical of a postwar constructed dwelling and of no significant architectural or historic merit. Its present form is not considered to be of great significance to the wider Conservation Area and is not considered to have inherent value in to the core (and significant) elements of the wider Conservation Area. Tanera is notably smaller in size than either of its immediate neighbours, and many of the dwellings in the vicinity and is also set in a relatively large plot in relation to its existing size. Whilst the proposed extensions can be considered comparatively large to the current dwelling, they are integrated into the original design of the house in such a way that it does not appear to be an overly dominant or incongruous development, and once extended will still remain subservient to the neighbouring property 'Hamblewell'. Tanera is set further back from the road than most of the neighbouring properties and this leads to further mitigate its dominance, the proposed extensions would create a more regular interval between the houses in the streetscene and enhance the appearance visually, maintaining the overall urban grain of development and improve the rhythmic nature of the streetscene.

Original plans included 'large areas of glass project above the eave height', which was considered excessive and given the elevation above the other properties in the conservation area would dominate and have a detrimental effect on this part of the conservation area. Further amendments have been made to the original plans to the amount of glazing on this elevation and while still quite extensive, this latest elevation without glazed gables brings the appearance down to more normal percentages that will now not dominate the conservation area and are deemed acceptable.

The rear extension proposals by virtue of their positioning and rear boundary treatments are not clearly visible from the wider area and therefore propose a limited impact on the character of the area.

The proposals include a red brick front boundary wall not exceeding 1 metre in height is in compliance with what would normally be considered under permitted development rights and is deemed to compliment boundary treatments found elsewhere in the area and to not adversely affect highway safety.

The construction materials proposed are appropriate to the area, and the overall improvement in appearance of the property will enhance the appearance of the Conservation Area.

The proposed shed in the rear garden is modest in height and remains subservient to the surrounding building and the structure positioned in an area secluded from public view.

The minor scale of the development is not clearly visible from the wider area and proposes a limited impact on the character of the area respects the character of the Special Policy Area.

It is therefore considered that proposed works do not cause adverse harm to the character and appearance of the area by reason of its; size, siting, scale, design and materials and that the appearance of the main dwelling and the character of the locality is considered to be acceptable. The retention of space around the building means it will not affect the loose knit character of the Old Bursledon Special Policy Area.

The dwelling will retain a reasonable sized garden and so the proposal is not considered to be an overdevelopment of the plot.

Residential amenity

Saved Policy 59.BE (vii.) of the adopted Local Plan requires that development avoids unduly interfering, disturbing or conflicting with adjoining or nearby uses in a range of respects including through overlooking, loss of light, loss of outlook, and the impacts of noise, dust and fumes. This policy requirement is consistent with the National Planning Policy Framework and in particular Paragraph 127 which, amongst other things, states that planning decisions should ensure that development provides a high standard of amenity for existing and future users.

In this respect therefore there are two primary considerations, these being the ensuring of an acceptable level of amenity for the future occupiers of the new dwelling and the

impacts upon the amenity of the occupiers of existing neighbouring properties. In these regards, the Council's Quality Places SPD provides design guidance in relation to a range of matters including residential amenity and outlines a variety of standards for new development on issues such as privacy, daylight and sunlight, as well as minimum amenity space sizes.

With regards to the design, scale, position and relationship with neighbouring properties, it is not considered that the proposed developments will result in an unacceptable harmful impact on the amenities of neighbouring occupiers. The property is sited on a generous plot and given the orientation and separation of the properties from their shared boundaries, and that the proposal states that all new first floor side facing windows are obscure glazed, it mitigates the possibility of overlooking, overshadowing and loss of privacy or outlook. Considering the orientation and spacing between the two properties it is judged that this new proposal would comply with the '45 Degree code' when viewed from neighbouring properties and accords with guidance set out in the 'Quality Places' SPD.

Proposals also include rear juliet balconies. New balconies would be inappropriate for most existing dwellings in the borough due to an unacceptable loss of privacy to adjoining properties. However proposed juliet balconies are not considered to create significantly more overlooking than the current bedroom windows. In addition to this, the proposed velux balcony in the roof does not cause concern for harmful overlooking as the potential for is mitigated due to the rear gables.

Whilst a loss of a view is cited in a neighbour comment, there is no right to a view under the planning system and therefore loss of existing private views cannot be regarded as a material planning consideration or valid reason for refusal.

Original proposals have been revised to the front gable which will allow for more light to the hallway/staircase and the second floor. The residential amenities enjoyed by the occupants of the host dwelling will not be harmed, as there is sufficient rear amenity space remaining and all habitable rooms retain good light and outlook.

Ecology

EBC Ecology Officer responded that this application has been flagged up for being within 50 m of Green Mountain Fringe-moss, *Racomitrium fasciculare*. Whilst It is not likely that it is growing on the property, the applicant should be notified that in case this moss is found on site it should be left where it is growing if possible. If not, then it can be moved along with the surface it is growing on to a nearby site with a similar environment

Trees

It is noted that the site area does contain trees that are protected by Tree Preservation Orders. The proposed developments are unlikely to cause a significant risk to existing surrounding trees or landscape features of particular amenity to the conservation area as safeguarded by virtue of distances, or would detrimental of the landscape of the countryside

Highways

Saved Policy 59.BE (v.) requires that development provides a satisfactory means of access and layout for vehicles which includes an appropriate level of parking provision in accordance with the Council's adopted Residential Parking Standards Supplementary Planning Document (SPD).

The proposals result in 1-2 additional bedrooms in the accommodation, however remaining on-site parking provision is sufficient to serve a property of this size and therefore will accord to guidance set in the Residential parking standards SPD. Subsequently, with reference to parking, this scheme would not have a detrimental effect on the amenity of the streetscene or to highway safety.

Climate Change

National legislation and guidance, together with local policy ensure that all planning applications are tested for their resilience to and impact on the environment. The Climate Change and Environmental implications of this application and their proposed mitigations have been considered.

Equalities Implications

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion: Upon reflection this scheme is deemed acceptable from the point of view that harm shall not be caused to neighbouring amenity, parking availability or highway safety. In addition, notwithstanding the significant design changes of the character of the existing dwelling, the proposal will present a dwelling suitable in its presentation and character that aligns with the prevailing character of the surrounding streetscene and would not have significantly harmful effect on the character and the appearance of the Old Bursledon Conservation Area. For these reasons the proposal can be supported.

Recommendation:	PERMIT ☒	REFUSE ☐
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Comments ...
