

BHH – Bursledon, Hamble and Hound Local Area Committee Thursday 22 September 2022.

Application Number: H/22/93338
Case Officer: Dorothy Hei-Tung-Hoh
Received Date: Tuesday 28 June 2022
Site Address: EDENBRIDGE HOUSE, SCHOOL ROAD, BURSLEDON, SOUTHAMPTON, SO31 8BW
Applicant: N Barclay
Proposal: Retention of existing gate piers and the installation of a new vehicular entrance gate

Recommendation: Permit subject to Conditions

CONDITIONS AND REASONS

1.	The development hereby permitted shall be implemented in accordance with the following plans numbered: SL.01 A and 110_JD_GATE.01 Reason: For the avoidance of doubt and in the interests of proper planning.
2.	The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
3.	Unless otherwise agreed in writing by the Local Planning Authority, the proposed vehicular entrance gate hereby permitted shall be constructed using the following material and colour: • Timber and stained with clear matt stain Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.
4.	Note to Applicant: It is requested that the building works are carried out considerately to minimise disruption to the occupiers of the neighbouring properties. The council operates a code of best practice, which is available on the council's website www.eastleigh.gov.uk by following the links to Planning and Building, Building Control, then select 'Considerate Builders Advice Note'.
5.	Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (February 2019), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Report:

1. This application has been referred to Committee by Councillor Tonia Craig, Councillor Steve Holes, Councillor Malcolm Cross, and Councillor Adam Manning due to transparency and consistency.

Site Characteristics and Character of the Locality

2. Edenbridge House was formally part of the front garden of The Old Rectory. The site contains a 4 bedroom, detached, two storey dwelling.
3. Set within a generous plot, the site is generally level with lawn surrounded with flower beds and mature trees with hedging on the boundaries.
4. The property abuts School Road and Kew Lane and is accessed via a private drive shared with The Old Rectory opening onto a large gravel courtyard area, providing ample parking. The entrance to the site currently comprises of an open access between existing gate piers.
5. The property is of a contemporary style and appears to remain as it was initially constructed in 1960-1970 with low pitched concrete tiled roof, red/purple multi brickwork and large side hung casement windows (now in uPVC).
6. To the side of the property, there is a large double garage under a flat roof which connects the garage to the house extending across the front to form an entrance canopy. To the rear of the property is a large garden amenity space. The site is mainly laid to lawn with paved patio area and is enclosed by fence panel surrounds.
7. The surrounding area is a relatively low density mixed residential area of the Old Bursledon. The original designs of the neighbouring properties have been modified over time and has resulted in a varied and vibrant appearance with no particular dominance of style but principally with heights of two storeys. The immediate neighbour is The Old Rectory, a Grade II Listed Heritage Asset.

Description of Application

8. The proposal is for the retention of existing gate piers and installation of a new sliding vehicular entrance gate fixed behind the existing entrance piers.
9. The existing gate piers are 1.5m high. The proposed sliding vehicular access gate will be 1.9m in height and 3.7m in width. The gate will be automated and will be designed to appear externally as painted timber gates, set behind the existing gate piers.

10. With regard to the finish of the entrance gates, it was confirmed by the applicant that the gates will be timber and stained with clear matt stain.
11. A planning application (reference H/22/92544) for the construction of a two-storey rear extension and elevational alterations has recently been permitted by the Bursledon, Hamble and Hound Local Area Committee on 21st June 2022. Initially, a pedestrian gate and sliding vehicular access gate, with new piers were included in the previous application (H/22/92544). However, these elements were removed from the application. It is acknowledged that this current application has attempted to address some of the previous concerns expressed relating to the highway safety and impact on the listed building.

Relevant Planning History

12. H/22/92544 - Construction of two storey rear extension and elevational alterations - Permit - 21/06/2022

Representations Received

13. One objection letter was received. The neighbour raised the following issues and concerns:

Highway safety

- Electric gates will require time to open and close and there is also the possibility of electric gate failure.
- Cause an obstruction to the highway and/or public nuisance which will endanger the safety of road users.

Interference to Right of Way

- Cause a substantial interference with the right of way to those accessing The Old Rectory.

Impact on Listed Building

- The erection of modern electric gates within the curtilage of the property will be entirely out of character.
- The proposed gates would impact upon the entrance and setting of the Grade II Listed Building (The Old Rectory).

Consultation Responses

14. Built Heritage Consultant – Summarised

Original Comment – Objection – 03/08/2022

- As these gates are at the front of the listed building site, in the public view, they become part of the setting of this heritage asset. It will affect the setting of the only listed building in Zone 6 of the Old Bursledon

Conservation Area. There is greater than usual interest in the detail of the finish.

Withdrew the objection after receiving the detail of the finish/materials to be used in the construction of the gate – 30/08/2022

- The choice of finishes and materials would give balance and differentiate the proposed entrance gate from The Old Rectory's gate.

15. Highways – No objection to the proposals from highways perspective.

16. Historic England – Not offering advice – It is suggested to seek the views of specialist conservation and archaeological advisers.

17. Ecology – No ecological or drainage objections to the application.

18. Tree Consultant – No arboricultural objection.

19. Southern Water – No objection.

Policy Context and Designations Applicable to Site

- Outside of the urban edge – Countryside
- Within Old Bursledon Special Policy Area
- Within Old Bursledon Conservation Area
- Adjacent to a Listed Building

Development Plan Local Plan Policies

Submitted Eastleigh Borough Local Plan 2016-2036

The most relevant policies are:

Strategic policies:

- S1 (Sustainable Development);
- S5 (New development in the countryside);
- S8 (Historic Environment).

Development Management policies:

- DM1 (General Development Criteria);
- DM2 (Environmentally Sustainable Development);
- DM11 (Nature Conservation);
- DM12 (Heritage Assets)
- DM14 (Car Parking);

Supplementary Planning Documents

- Quality Places (November 2011);
- Residential Parking Standards (January 2009);

- Character Area Appraisal for Bursledon, Hamble-le-Rice and Hound (January 2008)

National Planning Policy Framework

20. At national level, the National Planning Policy Framework (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The National Planning Policy Framework (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and sets out a general presumption in favour of sustainable development.

National Planning Practice Guidance

21. Where material, the Planning Practice Guidance which supports the provisions and policies of the NPPF should be afforded weight in the consideration and determination of planning applications.

Assessment of Proposal: Development Plan and / or Legislative Background

22. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a Local Planning Authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise. Plan comprises the Policies of the Eastleigh Borough Local Plan Review 2016-2036 and the Hampshire Minerals and Waste Plan 2013 (which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.
23. The relevant policies and guidance combine to form the criteria against which this application will be assessed with particular regard to principle, amount of development, character and appearance, its impact upon the Old Bursledon Special Policy Area; impact upon residential amenity and other material considerations.

Principle and Policy

24. Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible in terms of mass, scale, layout density, design, and siting.
25. The application site lies outside of the urban edge and is in close proximity to the neighbouring Grade II Listed Building, The Old Rectory. Therefore, the policy requirements and criteria in Policy DM12 are relevant. The policy states that the proposed development within the setting of a heritage asset will be permitted provided it does not harm or detract from the significance or special

interest of the asset and sustains and enhances its special character and qualities.

Layout, design, and impact upon the character of the area:

26. The Old Bursledon Conservation Area is designated because of its aesthetic value. The Local Planning Authority will seek to achieve a high standard of design when considering planning applications in this area, with a view to enhancement of its character. In assessing the development, account will be taken of the visual impact of the proposed vehicular entrance gate upon the Old Bursledon Conservation Area. This, in turn, allows an assessment as to whether the heritage asset would be harmed or enhanced by the proposed development.
27. Although the proposed vehicular entrance gate would be visible from the front elevation, it would be attached to the existing gate piers, leaving both in situ, and as such there would be very little visual impact in terms of its form and appearance.
28. It was noted upon the site visit that there are several dwellings within this area with entrance gates and pillars, which therefore form part of the character of the Conservation Area; there is much precedent in the immediate area for such entrance gates. Given that the proposal would mirror that which exists nearby, it would not undermine the character or appearance of either the site or the wider conservation area.
29. In regard to the existing red brick gate piers, their materials, colour and design are relatively uniform complimenting the host dwelling such that they positively contribute to the street scene. Further, the character of The Old Bursledon is highly defined by its mixture of red and yellow brick, therefore the retention of the existing red brick piers would not harm the character of the area.

Impact on the Listed Building:

30. Section 66(1) of the Planning (Listed Building & Conservation Areas) Act 1990 states:
“In considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority ... shall have regard to the desirability of reserving the building or its setting or any features of special architectural or historic interest which it possesses”.
31. Traditionally, the three most prominent buildings in a village were the Manor House, the Church, and the Rectory. It is acknowledged that The Old Rectory is the most important property of the three here and the only

one in the vicinity of the site that is a listed building. In this instance, any development of the application site needs to be particularly sensitive to the visual importance of The Old Rectory. The proposed vehicular entrance gate would not be permitted if it would result in a detrimental impact on the building or setting of The Old Rectory.

32. Following advice from the Built Heritage Consultant, Edenbridge House is not part of the Listed Building, and therefore the proposed entrance gate should not be the same colour. A muted colour matt finish, different to The Old Rectory, would be most suitable. The agent has confirmed in writing that the proposed entrance gate will be timber and stained with clear matt stain.

Residential Amenity

33. Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
34. The provision of a new vehicular entrance gate would not cause a significantly harmful impact on the amenity of neighbouring properties in terms of loss of privacy, light and outlook and is deemed acceptable and accords with guidance set out in the 'Quality Places' SPD.

Highway Safety, Access, Parking and Transport Matters:

35. Policy DM14 of the Eastleigh Borough Local Plan (2016-2036) requires residential development to provide off-highway parking which is adequate in terms of highway safety/traffic management.
36. The proposal does not impact upon the current parking provisions, and therefore does not have an adverse impact in this regard.
37. There is to be no increase in traffic movements associated with the dwelling as a direct result of this application.
38. The proposed vehicular entrance gate would be set into site beyond the minimum 6.0m from the highway edge, and whilst the initial portion of the driveway is shared with neighbouring properties, there is adequate space for at least two to three vehicles to either wait or pass by side-by-side and therefore not create a blocking situation on the highway itself.
39. Given that the existing (The Old Rectory) and proposed gates (Edenbridge House) are essentially adjacent, the position that a vehicle would wait on

the shared driveway for gates to open is not materially different in planning terms than the existing situation. As such, any future problems caused by gates waiting to open could occur under the existing arrangement. Overall, it is considered there is adequate space for a vehicle waiting for a gate to open, and a following vehicle to have adequate space to wait of the highway whilst this manoeuvre is undertaken.

40. It is also considered that no objection has been raised by Hampshire Highways.

Ecology and Trees:

41. The Council's Ecologist and Tree Consultant have been consulted as part of this application.
42. There are no significant trees in close proximity to the proposed gates. Therefore, the Council's Tree Consultant raised no arboricultural objection to the retention of the pillars or the installation of gates.
43. The Council's Ecologist also raised no ecological or drainage objections to this application.

Sustainability Measures and Climate Change:

44. In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.
45. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

46. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change.

Equalities Implications:

47. 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.
48. 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

49. In conclusion, the proposal has been designed to ensure the setting of the adjacent Listed Building is protected and would not cause harm to the character or appearance of the Old Bursledon Conservation Area, residential amenity, or highway safety. As such it accords with the relevant policies of the Eastleigh Borough Local Plan (2016-2036), and to guidance contained in the Councils adopted SPDs and to the National Planning Policy Framework 2021 (the Framework).
50. The recommendation is to Permit.

H/22/93338



EASTLEIGH
BOROUGH COUNCIL



Address: Edenbridge House, School Road
Bursledon, SO31 8BW

Date: 08/09/2022

Scale: 1:1250