

MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/22/93532

DESCRIPTION	Change of Use of Garage/Sales Office to Dwelling (Use Class C3) with vehicular
ADDRESS	access from Pembers Farm Avenue (access from Mortimers Lane to be stopped up)

SITE VISIT DATE	06/10/2022			
ARE PLANS ACCURATE?		Yes		
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?		Yes		

THE SITE AND ITS SURROUNDINGS

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DETAILED DESCRIPTION OF APPLICATION	Application seeks permission to change the use of a former garage (most recently used as a sales office) to a two/three bedroomed chalet bungalow. The property has a large single storey addition at the rear. The new access from Pembers Farm Avenue is included in the red line application site. The proposed dwelling will have a 10m long garden to the rear, and fencing on new boundaries. Parking for 2 cars and turning will be provided at the front. The plans also show new landscaping including for the stopping up of the access					
SITE AREA	0.01					
RESIDENTIAL DEVELOPMENT DENSITY (NET)	n/a					
TOPOGRAPHY		level				
TREES		Not within site				
BOUNDARY TREATMENT		Timber fencing and some hedging on Mortimers Lane boundary				
SITE CHARACTERISTICS	Urban – former garage and sales office					
CHARACTER OF LOCALITY	. Suburban – edge of Fair Oak Village					

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
O/15/77190	Outline: Construction of up to 250no. Dwellings with access from Mortimers Lane and pedestrian/cycle links, open space and landscaping, all matters other than access reserved.	Permitted 2018
RM/18/83278	Reserved matters for the above including retention of Pembers Hill	Approved Nov 2018

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
	Farmhouse and garage	
F/22/93670 Adjacent property Pembers Hill Farm	Single storey rear extension following removal of existing conservatory, 1no. rear dormer, an integrated double garage and alterations to fenestration	Valid – under consideration
F/08/62348	Erection of detached garage with storage areas	Permitted 2008
O/04/52881	Outline – erection of dwelling	Permitted 2005
R/06/57815	Reserved matters for erection of three bed detached dwelling	Approved 2006

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Neighbours	No comments received

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Fair Oak and Horton Heath Parish Council	No objection.
HCC highways	No objection
Direct Services	No Objection

POLICY CONTEXT

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

DEVELOPMENT PLAN POLICIES AND SPD

Eastleigh Borough Local Plan (2016-2036): DM1 (general development criteria), DM2 (Environmentally sustainable development), DM11 (nature conservation), DM13 (general dev criteria transport), DM14 (parking), Policy DM23 (Residential development in urban areas), DM32 (Internal space standards for new residential development). Supplementary Planning Guidance: Quality Places Supplementary Planning Guidance: Biodiversity Supplementary Planning Document: Planning Obligations Supplementary Planning Document: Environmentally Sustainable Development Supplementary Planning Document Residential Parking Standards

CHARACTER APPRAISAL AREA

N/A

SPECIAL POLICY AREA

N/A

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 with particular regard to the principle of development, street/scene and character of the area, residential amenity, highway matters, trees, nature conservation.

PLANNING OBLIGATION/CONSIDERATIONS

As this development is for one dwelling, it is below the threshold set out in the NPPG for which contributions can be sought to offset the impact of the development on local infrastructure, (eg social infrastructure, transport, public open space). However, as it falls within the Pembers Farm site it could be considered as an additional unit to the major development permitted for up to 250 dwellings. In this respect, the Section 106 agreement for the site delivers infrastructure on and off site and affordable housing for up to 250 dwellings, whereas the reserved matters consent was for 243 dwellings. Therefore, provision has been made for additional plots such as this.

The site does not lie within the catchment zones in respect of recreational pressure on the Solent or New Forest SPAs and contributions are not required.

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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

Principle

The site is located within the urban edge, is bound by residential properties and is located where there are relatively good pedestrian and cycle links to nearby local facilities within Fair Oak and to public transport links (buses). In addition, the principle of residential development on this overall Pembers Farm site has been accepted (see planning history). The principle of development is

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therefore acceptable, subject to detailed considerations as set out below.

Layout, design and street scene

There are no material changes to the external appearance of the building and this application is for change of use of the building to a dwelling. In terms of external appearance, the overall height and scale of the building is considered appropriate and fits within the street scene.

There is also sufficient space for provision is made for bins and bikes within a proposed shed. and there is considered to be adequate private amenity space for the proposed 2-bedroomed dwelling.

Although a little awkward in relation to neighbouring properties, the siting and layout is not unduly harmful visually and meets the criteria set out in Policy DM1 of the Local Plan as well as the adopted Quality Places SPD.

The NDDS minimum space standard for a 3-bedroomed 2 storey dwelling is 90sqm gross internal floor area for a 4 person dwelling. The gross external floor area of the dwelling is 97.5sqm and it is considered that this standard is met.

The proposed rear garden is approximately 105sqm (107% floor area) and therefore exceeds the Quality Places SPD guidance

Residential amenity

With regard to impact on neighbours, the proposed dwelling has no changes to windows and doors as a result of the change of use, albeit the change from garage/sales office and ancillary space to dwelling would intensify the activity associated with the property. The north east elevation only has rooflights at first floor which should not give rise to overlooking issues. No objections from neighbours have been received and there is no conflict with the relevant criteria of Policy DM1 in this respect.

Highway matters

Policy DM1 expects development to be sited close to, or well served by, public transport, cycling and walking. Policy DM14 states permission will only be granted for development that provides adequate off-highway parking provision. The current plans provide sufficient space for parking and for vehicles to easily turn within the site and leave in forward gear. – both for the dwelling which has lost the garage and the new dwelling.

Vehicular Access The existing access on to Mortimers Lane is to be closed and stopped up (required by condition) and access will be provided via Pembers Farm Avenue. The additional traffic associated with one additional dwelling is negligible and will not have any adverse impact on highway safety. The closing of the access will be a highway safety benefit as traffic approaching from Fair Oak starts to increase in speed as it nears the summit of the hill and leaves Fair Oak

Trees

There are no existing trees within the application site.

Nature conservation

The site falls outside the 5.6km buffer zone for the Solent SPA and the 13.8km buffer zone for the New Forest SPA.

Mitigation is required to offset against nutrient loading (nitrates and phosphates) as a result of the additional dwelling. A nitrate budget calculation has been submitted with the application and the applicant has applied for a vesting certificate in respect of the EBC offset scheme.

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Nutrient Budget

As this application would result in the creation of a new dwelling which has foul drainage links to Chickenhall WWTP, affecting the River Itchen and Solent Internationally designated sites, a Nutrient Budget Assessment has been carried out and is included with the application documents.

A nutrient budget for the scheme has been produced in line with Natural England's published guidance with this demonstrating a net change in nitrogen load from the development of an additional 3.16kg/TN/year and a phosphates load of 0.11kg/TP/year. This calculation is on the basis of 120 litres of water use per person per day, although water usage would be secured by way of a planning condition at 110 litres pp/day applied to new residential development by the local planning authority.

The impacts of this increase in nitrogen loading are such that the development would have a likely significant effect on the Solent designated sites due to the increase in waste water. In order to be lawfully permitted, therefore, a package of avoidance and mitigation measures are required.

Eastleigh Borough Council has adopted an interim strategy to offset the impacts of nitrogen and phosphates loading from new development through the taking of land within the Borough, which is within the control and ownership of the Council, out of agricultural use (high intensity) and placing this into a lower intensity use (open space). The applicant is proposing to utilise the Council's adopted schemes to offset the impacts of their development and the requisite mitigation measures will be secured through the use of a planning condition which will ensure that this mitigation is in place prior to the development being brought into use.

Where the Council proposes to use its own land holdings to offset development as mitigation with appropriate land management, the Council commit to the land being secured in perpetuity (i.e. 80 years). For those offsetting sites that are ultimately intended for development (i.e. parcels within the Horton Heath site), the Council will ensure that these will not be developed until equivalent mitigation that has been agreed with Natural England is provided and secured. Development proposals for the Horton Heath offsetting parcels will also be subject to HRAs and may need their own bespoke mitigation.

For this development, the Council as Competent Authority can ensure that the required mitigation is delivered in accordance with the adopted interim mitigation strategy and projects and are satisfied that sufficient land is available to mitigate this impact.

HRA Appropriate Assessment has been undertaken and sent to Natural England on 18/10/22. NE did not respond within the 28-day period or prior to the decision being made.

Biodiversity Net Gain – the new, previously approved, landscaping proposed would result in Biodiversity Net Gain and further planting is proposed where the access is to be stopped up.

Bats- there are no obvious roosts or roost potential for bats and the roof itself is not proposed to be

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altered

OTHER MATERIAL CONSIDERATIONS

The provision of one dwelling assists in the delivery of new housing to increase supply in a modest way in line with National and Local planning policies.

CONCLUSIONS

The recommendation is to permit subject to conditions.