

DELEGATED OFFICER REPORT

Application Ref: H/23/94571

Site Address: LYNCHIES, SALTERNS LANE, BURSLEDON, SOUTHAMPTON, SO31 8DH

Case Officer: Claire Campbell-Best

Description: New entrance gates and brick pillars

Particular Site Constraints	Yes ☒	No ☐
Within Designated Countryside Conservation Area – Old Bursledon Special Policy Area National Rail 10m Consultation Buffer Public Right of Way 25m Buffer – Bursledon 17fp		

Planning History	Yes ☒	No ☐
Reference	Description	Decision
C/14329/002/00	Construction of two storey extensions	11/05/2000
C/14329/004/00	Construction of detached carport/garden store	11/12/2001
C/07/61329	Retrospective retention of summer house and decking in the rear garden	21/04/2008
Various TPO applications relating to tree works		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	None received		
Bursledon Parish Council:	No objection		
Built Heritage Officer:	<u>Updated Comments on Amended Plans received 22/02/23:</u> This is far more suitable in this context to which I would have no objection <u>Comments on Original Plans received 09/02/23:</u> One can understand the wish for greater security in this day and age, particularly at the end of a rural lane but feel that a slightly more subdued solution would be more appropriate in this context. Having gates that are taller at the leading edge, furthest from the hinge, rather defies logic in that there is more weight where one least wants it increasing the load and therefore wear on the top hinge in particular. With the relatively low close boarded fence either side of the site entry position gates with either a level top or a dipping curve would be more in keeping and suitable in this context, <u>Conclusion</u> A lower-key solution would be more appropriate for this rural situation and style of house.		
HCC Access Development Officer (Public Rights of Way):	We are of the view that the proposed development, as presented in this application, does not have a significant adverse impact on the Public Rights of Way network. Therefore, we raise no objection, subject to the following condition No vehicles (including builders and contractors), machinery, equipment, materials, spoil, scaffolding or anything else associated with the works, use, or occupation of the		

	development, shall be left on or near to a Public Right or Way as to cause obstruction, hindrance, or a hazard to the legitimate users. The public retain the right to use the public right of way at all times. Reason: To protect and train the use of the public right of way
Hampshire Highways:	<u>No objection</u> While it is the normal standard that gates are set back a minimum of 6.0m from the highway edge to prevent obstruction to passing traffic, in this specific case the external highway only serves 2 other access points, and as such any obstruction (very unlikely) would be minimal and not a justified reason for a highway objection.
Asset Management:	No comments received
Old Bursledon Action Group:	No comments received
Network Rail:	No comments received

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 28/02/2023		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM2, DM11, DM12, DM14, DM26 and BU7. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Bursledon, Hamble-le-Rice and Hound Character Area Appraisals, Old Bursledon Conservation Area Appraisal and Management Proposals (Zone 8)

Assessment:
<u>Site and Proposal</u> The application site contains a large two storey dwelling set within a generous plot located towards the end of Salterns Lane. The site is located with the Old Bursledon Conservation Area and Special Policy Area. The surrounding area is rural in nature with substantial detached dwellings set within large plots along Salterns Lane. There is a public footpath south-west of the application site which leads down to the River Hamble. This application seeks permission to install 3no. brick pillars and black wrought iron gates across the site's access, providing both vehicular and pedestrian access. This would be positioned between the existing 1.40m close board fence either side of the access and would be adjacent to the highway. Amended plans were received on 22 February 2023 which show the gates would have a level top and would match the height of the brick pillars (1.90m) <u>Principle</u>

The general principle of development in the countryside is not usually acceptable. However, the application site is an existing residential dwellinghouse, whereby extension and alterations to such are considered acceptable in principle.

The application site also falls within Zone 8 of the “Old Bursledon” Conservation Area. Thus triggering Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), which required the local planning authority, or as the case may be, the Secretary of State, pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

The site is also covered by Policy BU7 which states residential extension and replacement dwellings in the Old Bursledon Special Policy Area will be permitted provided they:

- a) Do not increase the volume of the original dwelling (as existing when the conservation area was first designated in 1982) by more than 25%. Further extension beyond this limit will not be permitted;
- b) Have regards to the impact of the development on the space between buildings and the openness of the area, ensuring that the character of the undeveloped landscape between buildings is conserved and enhanced;
- c) Do not create a dwelling disproportionately larger than the one that is being extended or replaced;
- d) Are subservient to and in proportion to the existing building in form, scale and design;
- e) Do not contribute to the cumulative urbanisation of the area; and
- f) Are not otherwise detrimental to the character of the area as viewed from River Hamble

Design and Layout

- The design of the proposed entrance gates and brick pillars is suited to the host dwelling in terms of its form, scale and appearance.
- The Built Heritage Officer was consulted upon due to the site being in a Conservation and Special Policy Area. Upon receipt of amended plans, they confirmed the proposal was more subtle and suitable with regards to the Special Policy Area and Conservation setting. The low-key design is not considered to contribute towards any negative urbanising affect within the local area and complies with the relevant policies and supplementary planning documents.
- The design and layout respects the character and appearance of the locality. Various properties along Salterns Lane have similar entrance gates, therefore the proposal would be in keeping within vicinity and would maintain and preserve the Conservation Area.
- The development would not be an overdevelopment of the site, would retain sufficient amenity space and meet parking standards.

Residential Amenity

- The development accords with guidance set out in the ‘Quality Places’ SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.
- The application site is suitably distanced from neighbouring properties and as such the physical structure is considered low-key and would not be unduly overbearing or prominent with regards to the nearby neighbouring amenities.

Highways Safety and Parking

- Due to the proposed gates being in close proximity to the highway and above the 1.0m restriction height for permitted development, Hampshire Highways were consulted upon. They advised while the standing advice for gates usually requires a set back of a minimum of 6.0m from the highway, in this instance due to the

siting of the plot towards the end of the lane, the positioning of the gates and the highway serving only two other access points, it was concluded this requirement would not be necessary and as such, there were no objections with regards to highway matters.

Other Matters

- The application site falls within a Public Right of Way 25m buffer and Hampshire County Council Rights of Way were consulted upon. They advised they had no objection to the proposal provided the public right of way is left accessible with no obstruction during building works. This will be secured via condition.
- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.

Climate Change:

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.

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.

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: This application is recommended for approval, subject to conditions

Recommendation:

PERMIT ☒

REFUSE ☐