

DELEGATED OFFICER REPORT

Application Ref: H/22/93504

Site Address: 4 MAYTREE CLOSE, FAIR OAK, EASTLEIGH, SO50 7BU

Case Officer: Claire Campbell-Best

Description: Retention of partly built timber framed outbuilding in rear garden
(Amended Description and Plans) (Retrospective Application)

Particular Site Constraints	Yes ☒	No ☐
With Urban Edge HRA Screening Criteria – SAC, SPA, Ramsar and River Airport Safeguarding Zones Tree Preservation Order Historic Park – Fair Oak Park SINC Site – Gore Copse		

Planning History	Yes ☒	No ☐
Reference	Description	Decision
H/19/85595	Single storey side extension and timber cladding	Permit – 03/07/2019

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None		
Fair Oak Parish Council:	<u>Comments on amended plans received 25/01/2023:</u> No objection <u>Original Comments received 15/09/2022:</u> Objection – Inappropriate location forward of the building line and overpowering presence of the street scene.		
Built Heritage Officer:	<u>Objection</u> This property is neither in a Conservation Area nor affects the setting of a listed building but does have a significant effect particularly on No's 2, 3 and 4 Maytree Close. While the character of the north-eastern side of the Close is of fencing and flat roofed garages with two storey houses behind, this south-western side is completely different - low profile bungalows (probably Guildway) from the 1960's or 70's with an open patch of grass, (the front garden of No 4) to give an airy sense of space in an otherwise somewhat crowded environment. While a structure of this nature might be quite acceptable in a back garden, to impose a wooden box like this on the whole neighbourhood, including the only approach to two neighbours is insensitive in the extreme, probably rendering them almost unsaleable. It will desecrate the whole environment here.		
Trees:	<u>Updated comments on tree method statement received 14/03/2023:</u> I am happy with the method statement document. Please can the method statement be applied to protect the Tree Preservation Order and the SINC. Objection withdrawn <u>Comments on amended plans received 03/02/23:</u> The site to the front is tree-free, but there is a significant group of trees to the back of the rear garden. This woodland is subject to a Tree Preservation Order and in a SINC.		

	Whilst we had no arboricultural objection to the previous position of the outbuilding, this new position – at the back of the rear garden – may have arboricultural impacts due to its relationship to the woodland. The principle issue is what foundations the structure will use. Using a traditional concrete slab foundation for a shed could have negative impacts on the rooting system of trees. Most of the roots are within the upper 500-600mm of soil and so any excavation could impact roots. We will require information about how the outbuilding is to be supported. We would likely accept piles (or similar), but require some details or a written statement, before we can raise no objection. <u>Original comments received 07/09/2022:</u> There are no significant trees within close proximity of the partly built outbuilding. Therefore, we raise no arboricultural objection to its retention
Ecology:	<u>Updated comments on planting and water butt details received 13/03/2023:</u> The plans are satisfactory, I have no further objections <u>Comments on amended plans received 24/01/2023:</u> Thank you for re-consulting ecology on the revised description. I object to the outbuilding being relocated to the rear garden. As stated in the previous ecology response The rear garden of this site is adjacent to Gore Copse SINC. Relocating the building to the rear garden would not be acceptable due to the need for a 20 m SINC buffer zone for any new development. <u>Original comments received 13/09/2022</u> I have no ecological objections. A surface water drainage plan and biodiversity enhancements are required. The rear garden of this site is adjacent to Gore Copse SINC. Relocating the building to the rear garden would not be acceptable due to the need for a 20 m SINC buffer zone for any new development.
Southern Water Services:	The attached plan shows that the existing building lies over an existing public foul sewer. If the works to be carried out will alter the existing foundation line or depth or the structural load applied on the sewer it will be necessary for the applicant to contact Southern Water.
Natural England:	No comments received
The Gardens Trust:	No comments received

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 03/10/2022		

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 and DM14. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:

Site and Proposal

The application site is a detached bungalow located to the north-west of Maytree Close, a small cul-de-sac leading off from Fernside Way. Nos. 6-12 Park Way, east of the application site have rear gardens and garages which back onto Maytree Close forming part of the street scene. The site itself has an open frontage with front garden laid to lawn and a driveway. To the rear there is a good-sized garden with Gore Copse directly behind the garden. The surrounding area is mainly residential, to the east of Maytree Close as noted, comprises residential garages and enclosed rear gardens. To the north and west of Maytree Close comprises of 3no. detached bungalows, including the application site with open frontages which give a sense of space surrounding to each dwelling.

This application seeks approval for the retention of an outbuilding, amended plans were received 09 January 2023 which show the outbuilding would be re-located from the front garden to the rear garden in the north-eastern corner of the plot and adjacent to Gore Copse SINC. The outbuilding is currently a dark green metal container which is served by bi-fold doors and will be used for garden storage. It is proposed the outbuilding will be clad in a timber effect oak vertical cladding to all elevations which has been used in the construction of the single storey rear extension that was recently permitted under planning reference H/19/85595.

Principle

The development is within the urban edge of Fair Oak where the principle of development is acceptable provided it complies with policies DM1, DM2, DM11 and DM14 of the Development Plan.

Design and layout

The design of the outbuilding, upon receipt of amended plans is suited to the host dwelling in terms of its appearance now that it would be relocated in the rear garden which is a much more appropriate location for an outbuilding.

As the outbuilding would now be sited to the rear garden, it would not be visible to the public realm, the impact within the street scene in this location would be minimal. Additionally, the structure is considered a modest and subservient addition when compared to the host dwelling.

The outbuilding is proposed to be vertically clad, which is typical of garden outbuildings. This would match the cladding found on the single storey rear extension of the host dwelling and therefore would respect the character of the property.

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. It is concluded that the outbuilding does not have a detrimentally harmful impact upon the amenities of the neighbour properties within Maytree Close.

Ecology and Trees

Due to the outbuilding being in close proximity to Gore Copse SINC and protected woodland, Ecology and Trees were consulted upon. Initially, Trees had no objection to the outbuilding's siting to the front of the curtilage as it would not impact the protected trees. Ecology initially objected as the outbuilding was contrary to DM11 in that the outbuilding was considered new development within a 20m SINC buffer.

When amended plans were received, both Ecology and Trees objected to the re-location of the outbuilding due to it's close proximity to the SINC and woodland.

Upon discussion with Ecology and Trees and the material consideration that the outbuilding's height is only just over the dimensions allowed under permitted development, it was agreed that mitigations could be put in place to overcome these objections. These mitigations include; a planting detail schedule, the installation of a water butt and a tree method statement. The applicant provided these details and this was reviewed by Ecology and Trees who were satisfied with the measures put into place and withdrew their objections provided the abovementioned mitigation measures were secured by condition.

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 ☒