

DELEGATED OFFICER REPORT

Application Ref: H/22/94323

Site Address: 2 BROOK COTTAGES, BROAD OAK, BOTLEY, SOUTHAMPTON, SO30 2EU

Case Officer: Claire Campbell-Best

Description: Two storey side extension and single storey rear extension

Particular Site Constraints	Yes ☒	No ☐
Within Urban Edge SSSI Impact Risk Zones Environment Agency Surface Water Flooding – 30, 100 and 100 year extent EBC Owned Land Flood Zones 2 and 3 HRA Screening Criteria: SAC, SPA, Ramsar and River Main River 8m Buffer Public Right of Way 25m Buffer – Botley 7fp Southern Water 2m Buffer – Foul and Surface Water		

Planning History	Yes ☒	No ☐
Reference	Description	Decision
Z/24089/002/00 (1 Brook Cottages)	Construction of two storey side extension	Permit – 15/07/1997

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	None received		
Botley Parish Council:	No comments received		
Hedge End Town Council:	No objection		
West End Parish Council:	No comments received		
Ecology:	<u>Comments on amended plans received 23/03/2023:</u> The amended plan has addressed my concerns. The bat and swift boxes are good enhancements and a planted area will provide food for pollinators and the animals that feed upon them. Although there may have been no evidence of hedgehogs recorded at the time of the survey, there are records of hedgehogs in the area. The survey was done at the beginning of February when hedgehogs would have been hibernating, and their droppings degrade over time. The hedgehog openings in the existing fencing appear to be in the right places. From an ecologist's point of view scrub can be valuable habitat for nesting birds and can provide shelter for small mammals. The bramble flowers provide nectar and pollen for moths, bees and other pollinating insects. Bats and birds feed on these insects. Bramble fruits and seeds also provide food for wildlife. Condition: Vegetation removal should be done outside of bird nesting season which is usually 1st March through 31st August. If the scrub has not already been removed, it must be carefully checked for nesting birds before removal. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. If evidence of an active bird's nest is found during		

construction, a 5 m buffer must be erected around the nest to protect it from disturbance until after the chicks have fledged and left the nest.

Reason: To prevent harm to nesting birds.

Further comment on Preliminary Ecological Assessment received 20/03/2023:

There is no point in adding hedgehog holes in the new fences if there are just walls behind the fences. If it is possible to add hedgehog holes to existing fencing after construction is completed when it would be safe for hedgehogs to move through the garden, that would be preferred. Since there is moderate potential for hedgehogs to be foraging in the garden, removal of all vegetation would remove potential shelter for hedgehogs. It would be better if the invasive plants can be removed without removing all of the existing mature vegetation.

The amended site plan (changes to the layout) should be shown in the Ecological Assessment and discussed with the ecological consultant because the ecological assessment was done at the beginning of February and the plan was changed at the end of February. The amended plan shows the driveway extended to the eastern site boundary, which would remove any vegetation along that boundary (shown as scrub on the phase 1 habitat map in Appendix 2). Since that scrub vegetation represents most of the remaining vegetation on site it has ecological value for wildlife. The rest of the site has already been cleared of vegetation. A tree is shown on the phase 1 habitat map and no tree is shown on the updated site plan. Removing the tree and paving the entire site is not acceptable. Planning applications must demonstrate no net loss of biodiversity (DM11) and if all vegetation is proposed to be removed from a site, I object to the application on the grounds that it is against policy DM 11 and national planning policy.

Comments on the Preliminary Ecological Assessment 02/03/2023:

The amended site plan involves developing the site all the way to the boundary, which may affect the conclusions drawn by the Preliminary Ecological Assessment (PEA). A new close boarded fence is proposed in at least two areas. This must include at least two openings in the baseboards in each area (front and side) (13 x 13 cm minimum) to allow hedgehogs to move freely through the garden. The position of these openings can be conditioned.

The amended plan also now includes a new porous block paved driveway. It needs to be clear whether any vegetation is proposed to be removed to accommodate the driveway and whether any of the invasive plant species listed in the Preliminary Ecological Assessment by Phillips Ecology (February 2023) are in this area (see below). The habitat map in Appendix 2 shows that part of the area proposed for the driveway is bare ground, but scrub is shown on the eastern edge of the property both on the habitat map and on aerial photos. The PEA must be updated to reflect the amended site plan and to establish whether any changes to are required to the proposed mitigation. The scrub which would be removed to accommodate the driveway would provide habitat for nesting birds and hedgehogs, which would result in an overall decrease in biodiversity.

	The PEA was based on a survey on 2 February 2023. The amended plans were submitted on 28 February 2023. In the PEA the dwelling was assessed to have negligible suitability for roosting bats but some foraging opportunities for badgers and hedgehogs. No evidence of badgers was recorded on site but there is suitable badger habitat nearby. The site was considered to have low potential for small numbers of reptiles and moderate potential for breeding birds. No further surveys were considered necessary and the precautionary mitigation methods for bats, badgers, hedgehogs, reptiles and breeding birds specified in section 14 is appropriate and can be conditioned. From the site visit photos it appears that building materials are already being stored on site. Care must be taken that hedgehogs and reptiles are not sheltering under or within these materials. The biodiversity enhancements recommended were two bat boxes and three swift boxes. This is appropriate and can be conditioned. Built-in boxes are preferable to externally mounted boxes if possible, as they cannot fall off and do not need maintenance. <u>Original comments received 29/12/2022:</u> There are records of bats and hedgehogs very near this property with records of grass snakes in the vicinity. Photos of the site on Google maps show dense vegetation which would provide habitat for nesting birds and hedgehogs in the area proposed for the side extension. There is linear green infrastructure across Brook Lane which connects to Pudbrook Lake, a tributary of the River Hamble. A Preliminary Ecological Assessment (PEA) of the house and garden is required, to include an internal assessment of the loft. The PEA report must also include a recommendation of appropriate biodiversity enhancements for this property. A bat brick and a swift brick may be appropriate for this building.
Southern Water Services:	<u>Updated Comments received 30/03/2023:</u> We have reviewed your application, the plans and the CCTV survey recently carried out on the public sewer affected by your proposed side extension, at the above site address. We are prepared to grant conditional approval to build near the public sewer at this address, subject to you complying with the following conditions: 1. No structure (footings, walls etc) running within 500mm from the existing 150mm vitrified clay (VC) public foul sewer/manhole will be permitted. 2. Where within 3.00 metres of the public sewer, foundations must be taken to a minimum of 150mm below the invert level of the sewer/manhole. The depth of the sewer is approximately 1.58m below ground level at the time of survey. 3. Southern Water does not permit internal public manholes and a new extension to be built over or within 500mm of public sewer/manhole. 4. Any new connections to the public sewerage system will require a New Sewer Connection application (we sometimes refer to this as a Section 106) to be submitted and approved by Southern Water.

	5. Care must be taken when working in the area of the public sewer pipeline so that no damage is caused, as any damage will be repaired at the client's expense. <u>Comments received 09/01/2023:</u> It appears that the developer is intending to build over to a public foul sewer which is crossing the site. Building over a "public sewer" is not normally permitted by Southern Water. An investigation of the sewer is required to confirm its size and depth, ascertain its condition, number of properties served and potential means of access before any decision can be made as to whether it would be acceptable for Southern Water to allow building over to the sewer.
Environment Agency:	<u>Updated comments received 09/02/2023:</u> We have looked at our culvert surveys which confirms that the line of culvert is more than 8m from the proposed extension and therefore we are satisfied our objection can be removed. A Flood Risk Activity Permit (FRAP) will also not be required. <u>Comments received 03/01/2023:</u> We object to this application as it involves building close to a main river culvert (Marls Road Tributary). As submitted, it is unlikely that we would grant a flood risk activity permit for this application. Reason(s) A main river culvert (underground piped watercourse) is shown in close proximity to the south of the building where the rear extension is proposed. Building foundations can put extra loading on to a culvert increasingly the likelihood of damage. Building too close to a culvert can also make access for essential maintenance difficult resulting in a potential increase in flood risk to near by properties and infrastructure. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/or improvement works. Overcoming our objection The applicant should provide details of the exact location and depth of the culvert in relation to the proposed building extension. If it can be demonstrated that the extension can be built without adding extra loading to the culvert and also provide suitable access for any essential maintenance, then the Environment Agency is likely to be able to remove its objection.
Hampshire County Council Highways:	<u>Updated comments received 20/02/2023:</u> In regard to application H/22/94323, following on from the initial HCC Highways response dated 01 February 2023, updated plans have been submitted as requested. These show that the proposed fencing sits behind the 2.4m visibility splay, and that the proposed driveway is to be constructed of a non-migratory material to a size sufficient for the parking and turning of vehicles. As such, there is no objection to the proposals from a highways perspective. <u>Comments received 01/02/2023:</u>

	In regard to application H/22/94323, whilst there is no objection in principle to the application, additional information is required prior to formal no objection being issued. Access into the site is proposed on the north-eastern boundary of the plot, which looks to be generally acceptable. However it is noted that a 1.8m acoustic fence is proposed adjacent to this and it is not clear whether this would interfere with the required visibility splays of 2.4 x 96.0m for 40mph speed restricted zone. As such, a plan should be submitted that clearly shows how these splays are achievable. Additionally, the extent of the internal driveway / parking area is not clear on plans. This area should be sufficient for the parking of two vehicles, plus an adequate area for turning on-site in order to access and egress in a forward gear. It should also be constructed of a non-migratory bound surface to ensure tracking of (for example) shingle does not get dragged onto the highway. Again, plans should be updated to clearly show this. Finally, applicants should be made aware that subsequent to any planning permission that may be issued by EBC as Local Planning Authority, a secondary permission will be required from HCC as Local Highway Authority to actually undertake the proposed drop kerb / vehicle crossover works. Details of this process can be found via the following link: https://www.hants.gov.uk/transport/parking/droppedkerbs
Hampshire County Council Rights of Way Officer:	No comments received
Natural England:	No comments received
Asset Management:	No comments received

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 26/01/2023		

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

Assessment:
<u>Site and Proposal</u> The application site contains an attractive Victorian two storey semi-detached cottage in a good-sized plot and is located on the southern side of the A334 (Broad Oak). The property

has a shallow set back from the road and is set on lower ground from the highway. The site has an open frontage with a generous side and rear garden. The surrounding area is predominately residential and semi-rural in character; there are detached/semi-detached cottages of a similar age in large plots located along this section of Broad Oak, to the north of the application site lies Broad Way Farm and a car sales garage to the east of the site. To the south lies Cobbett Way, a residential development featuring semi-detached properties and blocks of flats.

This application seeks permission for a two storey side extension which would be located on the eastern elevation of the host dwelling and a single storey rear extension. Amended plans were received 13 December 2023 which show the proposed side extension would be set down from the ridge of the host dwelling. In addition to the extensions, a 1.8m close board timber fence is also proposed along the north and eastern boundary as well as a new porous paved driveway which would be accessed from Broad Oak, providing off-street parking to the site.

The two storey element would have a pitched roof with a width measuring 6m, it would span the depth of the host dwelling (6.6m) and have an overall height of 6.5m. The single storey element would lead off from the two storey extension to the rear and would sit flush with the existing rear extension, squaring off the property. This would have a flat roof and would project 4m into the rear garden and would have a width of 8.5m (which also includes the existing extension). This would be finished in materials that would match the host dwelling.

The proposals would allow for internal reconfiguration to the ground floor which would comprise a new entrance hall, w.c., snug, office, utility room and an open plan kitchen/family area. The first floor would have an additional bedroom, dressing room, bathroom and ensuite.

Principle

The development is considered acceptable and complies with policies DM1, DM11 and DM14 from the 2016-2036 local plan, in that the development is within the urban edge of Botley where the principle of development is acceptable.

Design and Layout

The design of the two storey side extension, single storey rear extension, boundary fencing and driveway is suited to the host dwelling in terms of its form, scale and appearance. While the two storey side extension is a relatively large addition, it is considered to be appropriate when taking into account the size of the plot site. Additionally, the neighbouring property 1 Brook Cottage has a two storey side extension of similar size permitted under planning reference Z/24089/002/00. Currently, when viewed from the road, there is an imbalance to the semi-detached properties within the street scene. The proposal is considered to restore some symmetry to the dwellings.

As noted, the two storey extension would be set down from the ridge of the main dwellinghouse, providing a sense of subservience. The extension would also be finished in matching brickwork with decorative patterns and similar style first floor windows to the front and rear elevations, ensuring the proposed development would be harmonious and respectful to the character of the host dwelling.

From a site visit it was noted that as well as 1 Brook Cottage, there are other examples of cottages in generous plots, featuring large two storey side extensions along this section of Broad Oak and as such, the proposed extensions are considered to be in-keeping within the surrounding area.

The 1.8m proposed boundary fencing would be located behind the existing low level brick wall to the site's frontage and would span along the northern boundary fronting Broad Oak and the eastern boundary fronting a public right of way between Broad Oak and Cobbett

Way. The boundary fencing is a common feature along Broad Oak and would continue the same fence line that spans from 1 Brook Cottage, extending a further 30m west which acts as an acoustic barrier from the busy road. The proposed fencing will be of a similar appearance in materials, height and colour and would sit comfortably within the street scene and is not considered to cause detrimental harm to the character area.

The proposed paved driveway would be located to the front of the site, providing vehicular access from Broad Oak. There are various examples driveways along this section of Broad Oak so this element would also blend into the wider surroundings. It is considered the plot is large enough to accommodate off-street parking and retain sufficient amenity space.

To conclude, the proposals are considered to be acceptable in terms of design and complies with the local plan policies.

Residential Amenity

As a result of the location of the two storey side extension, it is considered there would not be any detrimental harmful impact upon the nearest neighbour, 1 Brook Cottages. While the proposed side extension would project 6m closer to the car sales garage located east of the site, there would still be a 27m separation distance, given this separation distance and the existing relationship, the proposals are not considered to result in an adversely harmful impact with regards to this neighbour.

The single storey element is also not considered to have a detrimental impact upon 1 Brook Cottages due to the existing rear extension which has been in place for several years, situated close to the shared boundary and is an established part of the property. As noted, the proposed rear extension would project any further past this existing extension or closer to 1 Brook Cottages and as such, would not cause any unacceptable impact in terms of loss of privacy, light or outlook and accords with guidance set out in the 'Quality Places' SPD.

Highways Safety and Parking

The proposals would include an additional bedroom, resulting in a 3no. bed dwelling. This would require 2no. off-street parking spaces as set out on the Residential Parking Standard SPD. Currently, the site has no on-site parking and relies on on-street parking within Cobbett Way, south of the site.

As the development proposes a driveway for 2no. off-street parking spaces, Hampshire Highways were consulted upon. Initially, further information on visibility splays and the materials proposed for the construction of the driveway was requested. This information was provided and Hampshire Highways confirmed they had no highway objections with regards to the amended visibility splays or the proposed materials of the driveway.

Therefore, the proposed driveway would be able to provide the required off-street parking with the development in place.

Ecology

Ecology were consulted upon due to the nature of the development and The Council's Ecologist requested a Preliminary Ecological Assessment due to the site being in close proximity to a tributary and dense vegetation currently within the site.

The Philips Ecology – Extended Phase 1 Ecological Assessment – 2 Brook Cottages, Broad Oak, Botley, Southampton, SO30 2EU was received on 28 February 2023.

The Council's Ecologist did note that amended plans received 02 February 2023 to address the information requested by Hampshire Highways where not the same plans included in the Ecological Assessment and showed no trees or vegetation would be

retained within the site and initially placed an objection. A further amended plan was received 22 March 2023 which includes bat and swift boxes included in the proposed extensions, a planting area within the site and the retention of a non-protected tree. The Ecologist reviewed this plan and the Preliminary Ecological Assessment and is content with the measures set out. As such, it is recommended that this be secured via these measures are secured via condition.

Drainage

Southern Water were consulted upon due to the proposed extensions being in close proximity to a public sewer. Southern Water confirmed a public sewer could be crossing the development site and recommended a pre-commencement condition be applied in order to protect the drainage apparatus. The applicant has provided further information with regards to the sewers to Southern Water and they have agreed to a build over application subject to conditions. These conditions will be advised by way of informative.

Other Material Considerations

There will be no adverse impact upon trees or other natural features worthy of retention and there are no likely significant impacts on the SPA.

The application site is in Flood Zones 2 and 3. An EA flood risk proforma has been signed by the agent confirming the proposed floor levels within the proposed development will be set no lower than existing levels.

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 ☐