

DELEGATED OFFICER REPORT

Application Ref: H/23/94758

Site Address: TANERA, CHURCH LANE, BURSLEDON, SOUTHAMPTON, SO31 8AB

Case Officer: Claire Campbell-Best

Description: Change black crittal style windows to uPVC black windows, slight repositioning and addition of east and west elevation first floor windows, additional side access door via garage on west elevation and removal of two thirds of the chimney (Amendments from approved planning application H/20/89146)

Particular Site Constraints	Yes ☒	No ☐
Within Established Residential Area Within Designated Countryside Old Bursledon Special Policy Area Rights of Way 25m Buffer		

Planning History	Yes ☒	No ☐
Reference	Description	Decision
H/20/89146	Proposed two storey rear extension and side extension, loft conversion, external re-modelling, erection of front boundary wall and gates and replacement shed	Permit – 24/05/2021

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	None received		
Bursledon Parish Council:	No comments received		
Built Heritage Consultant:	<u>Updated comments on amended plans received 10/05/2023:</u> The revised drawing 002 Rev D provides a brick chimney stack that is in keeping with the character of the conservation area, and is therefore acceptable in conservation terms. Holding objection withdrawn, so no objection. <u>Comments received 17/03/2023:</u> I have no problem with the revised fenestration and new door but not impressed with the new flue in lieu of the chimney, This will stand out like a sore thumb as one travels up Church Road. If the existing external chimney base was extended upward to form a new chimney that would be acceptable and in keeping with the conservation area. On this item holding objection.		
Old Bursledon Action Group:	No comments received		
HCC Access Development Officer:	No comments received		

Site Visit:	Yes ☒	No ☐
Details: 16/03/2023		

Legislation:
Section 38 (6) of the Planning 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 materials considerations indicate otherwise."

The site also lies within a Conservation Area and Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing

Policy:

**National Planning Policy Framework
Planning Practice Guidance**

Development Plan:

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1, S2 and S5; and Development Management policies DM1, DM2, DM11, DM14, DM26 and BU7

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Bursledon, Hamble-le-Rice and Hound Character Area – BHH 23, Old Bursledon Conservation Area- Zone 3.

Assessment:

Site and Proposal

The application site contains a detached two storey dwelling set within a generous plot on the southern side of Church Lane and falls within the Old Bursledon Conservation Area. The property is set back from the road by a hardstanding driveway and with an attached side garage. To the rear of the property is a long rear garden which is well screened by a mixture of high hedging a vegetation. The surrounding area is a low density mixed residential area.

Planning permission (H/20/89146) was granted in May 2021 for the construction of a two storey rear and side extension, loft conversion, external re-modelling, erection of front boundary wall and gates and replacement shed.

This application proposes revised changes to this approved planning permission:

- Change the approved black crittal style windows to black uPVC window to all elevations.
- The slight repositioning of the first floor gable glazing to the front elevation.
- Addition of 1no. first floor side window and the repositioning of 2no. approved windows and the repositioning of a side access door and 3no. ground floor windows to the proposed western side elevation. There would also be 1no. rooflight to the western roof slope.
- A reduction in size and slight repositioning of the approved chimney and external chimney breast, the addition of 2no. first floor windows and the ground floor fenestration altered to 1no. side door and 1no. window from 4no. ground floor to the eastern side elevation. There would also be 1no. rooflight to the eastern roof slope.
- Bi-fold doors and windows to the proposed ground floor rear elevation switched due to internal amendments and a larger first floor window.
- Approved garage door changed to a horizontal up and over garage door

There would be no change in size/dimensions to the proposed extensions, loft conversion, or overall appearance to the external elevational finishes (aside from the chimney) approved under H/2089146.

Principle

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

The application site also falls within Zone 3 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 extensions 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 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 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

As noted, the site currently has relevant live planning approval under H/20/89146, which was granted before the adoption of the Eastleigh Borough Local Plan (2016-2036) and Policy BU7 was in effect. While building works have not commenced at present, the expiry date for this permission ends in May 2024. As such, this is a material consideration upon the assessment of this planning application.

To conclude, this application will focus on the changes proposed to the approved fenestration and chimney.

Design and Layout

- The proposed changes to the window from crittal to glazed black upvc windows is suited to the proposed development. Owed to the application site being located in a Conservation Area, the Built Heritage Consultant was consulted upon and had no objections to the change of appearance to the windows and are acceptable with the conservation setting.
- Amended plans were received which shows the omission of a wood burner flue; this was replaced with a slightly smaller bricked chimney stack and external chimney breast due to an objection from the Built Heritage Consultant. Upon review of amended plans, the Heritage Consultant withdrew their objection as the amended chimney and resultant design would be in keeping with the character of the conservation area.
- The proposed re-location and re-positioning of windows are mainly located to the side and rear elevations with the changes not being overly visible from the public realm nor would it significantly alter the design of the proposals permitted under H/20/89146.
- Overall, the proposed revisions to planning permission H/20/89146 would continue to be respectful to the host dwelling and the wider conservation area.

Residential Amenity

- The additional first floor side facing windows to the west and eastern elevations would serve a bathroom and ensuite. The submitted plans indicate these windows would be obscured glazed with top hung openings only. As such, this will be secured by condition to ensure the privacy of the adjoining neighbours, Hill Cottage and Devonian.
- The additional and re-positioned ground floor side facing windows would be screened by the natural boundary treatment between the common boundaries with the adjoining neighbours and as such would not generate any privacy or overlooking concerns.
- The repositioning of the proposed bi-fold doors and ground floor windows and the 1no. larger first floor window to the rear elevation generates no overlooking or privacy concerns with regards to neighbouring amenity as these windows would directly face the rear garden of the application site.

Other Material Considerations

- 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 ☐