

DELEGATED OFFICER REPORT

Application Ref: H/23/94849

Site Address: 3 OAKFIELDS, EASTLEIGH, SO50 4RP

Case Officer: Claire Campbell-Best

Description: Retrospection application for garden room outbuilding.

Particular Site Constraints	Yes ☒	No ☐
Within Designated Countryside (garden room outbuilding) With the Urban Edge (dwelling) Environment Agency Surface Water Flooding – 1000 Year Extent Tree Preservation Order – 313-E, 314-E and 5-E HRA Screening Criteria – River, SAC, SPA and Ramsar		

Planning History	Yes ☒	No ☐
Reference	Proposal	Decision
H/21/90364	Two storey front and rear extensions, first floor front and side extensions, single storey rear and side extensions and part garage conversion	Permit – 10/06/2021

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	2no. comments received stating: - Once the taupe cladding is installed, the garden room will blend into the surrounding environment - Not sited in close proximity to any housing - Garden room is single storey, flat roofed and of high quality - Would not be obtrusive to neighbours		
Allbrook Parish Council:	No objection		
Trees:	Upon confirmation that the base for the outbuilding is a concrete slab: If there are no traditional foundations and the slab was poured over existing ground levels, then that will be less impactful. Ultimately, any detrimental action has already occurred. It is disappointing, but pragmatically we raise no objection to the retention of the structure given that any damage would have already occurred.		
Ecology:	<u>Updated comments on additional information received 19/06/23:</u> I have reviewed the site plans and additional information provided (email from Matthew Hammond 14 June 23). I am now satisfied that there are no further ecology or surface water drainage concerns. If the applicant would like to use a water butt for the roof drainage in addition, so that it can be used for watering the garden, this can be added to the existing downpipe with a downspout diverter so that any excess water then flows into the pond. The level of the outflow pipe must be checked so that if the pond fills up the water does not flow back towards the summerhouse. <u>Updated comments on additional information received 16/05/23:</u> I am happy for the surface water drainage to flow directly into the pond. Having the water discharge onto the sloping ground could cause soil erosion in heavy rain and this would add sediment to the pond, which is not advisable. Extending the pipe so that the water		

	enters the pond directly would eliminate this issue. It should enter the pond away from the outflow pipe if possible. Please could you clarify where the outfall/overflow for the pond ends up by marking the existing water course of a plan and providing additional photos? I can see two existing water courses on our map. One flows west towards Boyatt Lane, but there is a footpath shown between this property and the watercourse. If the outflow is directed towards the footpath this might cause flooding, deteriorating the footpath. The other watercourse on the map is shown in the woodland to the north of number 5 Oakfields but there is an arrow pointing south on our map. It is possible that these are one continuous watercourse, but more information must be provided. <u>Updated comments on Preliminary Ecological Assessment received 27/04/23 (summarised):</u> It is lovely to see the wildlife pond installed as part of the biodiversity enhancements for the previous application and there are logs waiting to be used as hedgehog houses. This is a substantial structure, The amended block plan layout shows that the building is on the northeast corner of the site adjacent to the neighbour's garden on the northeast and the woodland on the northwest. The photos show a ditch in the vicinity of the chain link fence, which may be within the root protection zone of the tree on the far side of the fence and a drainpipe coming down from the rain gutter and entering the bare soil quite close to the chain link fence on what looks like the woodland boundary. I can also see that there is another drainpipe leading from this building towards an area of vegetation, but it is not clear where that drainage area is located with respect to the property boundaries, the pond of the woodland. This is not acceptable. The surface water drainage from the roof of this structure must be relocated away from the woodland edge and either into the existing surface water drainage system of the house or a separate soakaway so that it does not affect the hydrology of the woodland. <u>Original comments received 11/04/23:</u> This structure has been built adjacent to and possibly within lowland mixed woodland priority habitat, which could affect tree roots and canopies and the stream within the woodland. Lighting could also affect bats using the woodland edge for commuting and foraging. I need to review site photos showing the existing garden room in context and the distance between the structure and the nearest trees, What is the surface water drainage provision? Biodiversity enhancements will be required.
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Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 26/04/2023		

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:Site and Proposal

The application site contains a substantial two storey detached dwelling situated in a large plot, the north western portion of the site falls within designated countryside with woodland directly behind the rear garden. The surrounding area is residential in nature and feature similarly sized detached homes set in spacious plots.

This application seeks the retention of a garden room outbuilding which requires planning permission because it does not fall within permitted development regulations due to its height (2.66m). The garden room has a flat roof and measures 4.5m in both depth and width. When complete, the garden room will be finished in taupe/beige coloured horizontal weatherboard cladding with white uPVC fenestration to the north, west and south elevations.

Principle

The general principle of development in the countryside is not usually acceptable. However, the application is an existing dwellinghouse, whereby extensions, alterations and additional outbuildings are considered to be acceptable in principle.

Design and Layout

- The design of the garden room is suited to the host dwelling in terms of its form, scale and appearance. The proposed materials are typical of a garden outbuilding and would match and compliment the host dwelling.
- The garden room is sited to the rear of the long garden and would not be visible within the public realm.
- While the height (2.66m) is a little over what is allowed within permitted development (2.5m), it is a modest increase and is not an overly prominent or overbearing feature.
- The development is not considered to be an overdevelopment of the site and sufficient amenity space would remain.
- The garden room would not be used as a bedroom; therefore parking standards would still be met.

Residential Amenity

- The garden room is sited at the end of the garden and not within close proximity to neighbouring properties or their private amenity space. The windows to the north, west and south elevations face either the garden of the application site or woodland. As such, there are no overlooking or loss of privacy concerns.
- Therefore, 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.

Ecology and Trees

- Due to the garden room being close to woodland and protected trees Ecology and Trees were consulted upon.
- Ecology initially had concerns with regards to surface water drainage leading off from the garden room onto nearby sloping ground or the woodland edge. The Council's Ecologist requested this be amended so that the drainage flows into the garden pond. An amended site plan and ecology statement was provided 14 June 2023 showing the requested changes. The Ecologist has reviewed this and is

satisfied with the amendments made and have no further concerns. They advised further water drainage could be provided by a water butt and this will be included as an informative to the applicant.

- The Council's Tree Officer requested foundation information for the garden room. Upon confirmation the foundations were a concrete slab, they advised they on balance they had no objection despite the protected trees being possibility impacted upon as a similar structure could be constructed in the same location that falls within permitted development and the impact on protected trees would not be considered.

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.

The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

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 ☐