

DELEGATED OFFICER REPORT

Application Ref: H/23/95028

Site Address: GLEN LEA, CHURCH HILL, WEST END, SOUTHAMPTON, SO30 3AT

Case Officer: Claire Campbell-Best

Description: Erection of carport (amended description and plans)

Particular Site Constraints	Yes ☒	No ☐
Within Urban Edge Within Built-Up Residential Area Tree Preservation Order (60-H and 329-E) HRA Screening Criteria: River, SAC, SPA and Ramsar		

Planning History	Yes ☒	No ☐
Reference	Description	Decision
H/23/94892	Proposed annexe to rear garden	Permit
H/22/93734	Two storey rear extension, single storey side extension, proposed full storey extension on top and elevational alterations	Permit – 23/03/2023

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None received		
West End Parish Council:	No comments received		
Trees:	<u>Updated comments on Tree Report received 18/07/2023:</u> As previously highlighted, whilst we acknowledge that some hardstanding exists, the proposed garage area is significantly larger, and comes within a couple of metres of tree stems – well within the root protection areas. In order to achieve a 3 bay car port, as per the plan, they would have to excavate the slope to the rear of the existing hardstanding, which would be significant from a RPA perspective, not to mention potentially negligent regarding the structural condition of the trees and the presence of a main road. The supplied report does not take into account the requirement for excavation and installation of hard standing. In fact, it clearly states in paragraphs 4.6.1 and 4.8.1 that “no new hard surfaces are proposed” and “no changes are to be made to ground levels within or around the carport”, respectively. Therefore we raise an arboricultural objection. The proposal is contrary to policy DM1 and the guidance contained within the Trees and Development SPD. <u>Comments received 10/05/2023:</u> As previous applications, we will need arboricultural information as both previous arboricultural reports do not mention this garage and make proposals (fencing, etc.) that would conflict with this one. We would currently raise a holding objection and request that arboricultural information is supplied. It is worth noting now, however, that this proposal may not be feasible because of the protected trees and the topography on site. We acknowledge that some hardstanding exists, but it appears that the		

	proposed garage is significantly larger than the existing “developed” area, and comes within a couple of metres of tree stems – well within the root protection areas
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Site Visit:	Yes ☒	No ☐
Details: Site visits made on previous application and follow up visit carried out 13/07/2023		

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; Trees and Development

Assessment: <u>Site and Proposal</u> The application site contains a good sized detached two storey dwelling which is set within a large plot which has a steep incline from the rear of the property. There is shared access to the site with Glen House accessed from Church Hill and there is a parking area to the front of the site. There are also substantial, mature trees to the front and south east of the site, fronting Chalk Hill (A27), these trees are protected by a blanket tree preservation order. The surrounding area is residential in nature and features detached properties of differing style and character. This application seeks approval for a three bay carport which would be located to the front of the site where there is some hardstanding with a slope to the rear of this. This would have a flat roof with supporting oak posts and would measure approx. 9m in width, 6m in depth and would have an overall height of 2.8m. From the submitted plans, it appears the slope to the rear of the hardstanding would be excavated and larger area of hardstanding installed to accommodate the proposed carport. Amended plans were also received 22 June 2023 which changed the proposal’s design from a garage to an open, covered carport following design and tree concerns. <u>Principal</u> The site is within in the urban edge where the principle of development is acceptable, subject to compliance with the relevant development plan policies. <u>Impact on trees</u> As noted, there are substantial trees to the front and south east of the site that is within influencing distance from the proposed carport that are protected under a blanket Tree Preservation Order. Owed to this, the Council’s Tree Officer was consulted upon and placed a holding objection, requesting an arboricultural report to assess the impact on these protected trees. A Tree Survey and Arboricultural Impact Assessment was received 27 June 2023. The Tree Officer has reviewed this and continued to object to the proposal as the information
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provided does not take into account the requirement for any excavation and installation of hardstanding as shown on the submitted plans. The Tree Officer confirmed the excavation would be significant from a Root Protection Area perspective and has concerns this could be potentially negligent regarding the structural condition of the trees and the presence of a main road (Chalk Hill). On this basis, the proposal is contrary to Policy DM1 and the guidance contained within the Trees and Development SPD and the application cannot be supported.

Other Material Considerations

- The design of the carport, upon receipt of amended plans, is suited to the host dwelling in terms of its form, scale and appearance.
- While located to the front of the site, forward of the building line to the main house, the trees along the front boundary provide adequate screening and as such, the proposal would not be overly visible within the public realm and the impact within the street scene of Chalk Hill would be minimal.
- The development would not be an overdevelopment of the site, would retain sufficient amenity space and meet parking standards.
- 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.
- 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.

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 refusal:

Reason for refusal:

Insufficient information has been submitted to demonstrate that the proposed development would not damage the structural condition of the trees to the south east, which are protected by a Tree Preservation Order. As such, the proposal is contrary to Saved Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) and the guidance contained within the Trees and Development SPD

Recommendation:

PERMIT ☐

REFUSE ☒