

DELEGATED OFFICER REPORT:**Application Ref:** H/23/96012**Site Address:** 21 HOCOMBE ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 5SL**Case Officer:** Clare Martin**Description:** Erection of detached two storey outbuilding at side

Particular Site Constraints?	Yes ☒	No ☐
• Within urban edge • Within flood zones 2&3 • Within 8m buffer of water course • Tree preservation orders		

Planning History?	Yes ☒	No ☐
• O/18/84620 - Outline application for erection of new dwelling with matters to be considered regarding access and layout – Refused and Dismissed at Appeal (October 2019) • O/16/79430 - Outline application for erection of 1no. dwelling with matters to be considered: Access and layout – Refused (March 2017) • Various TPO applications		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>1 comment and 4 objection letters</u> • Size of the outbuilding and future conversion to a separate dwelling. • Design is out of keeping with the surrounding architecture. • Building's siting doesn't follow building line. • Impact on trees • Flooding • Loss of privacy and outlook • Light lost from garden of no.159. • Bats in the locality and therefore should submit a bat/ ecological study. Need to consider habitat clearance and mitigation. • Devaluation of property. <u>Local Planning Authority Response</u> • Comments are noted and will be considered in the assessment section. Protected species are considered within the Ecology Officer response. • The assessment can only consider the impact of the current proposal and not any vegetation clearance previously undertaken on the site. • Devaluation of properties is not a material planning consideration.		
Tree Officer:	<u>No objection</u> , subject to pre-commencement submission of an arboricultural method statement (to include the final foundation design) and tree protection measures being installed.		
Ecology Officer:	<u>Objection</u> • There are records of bats in the area		

	• There are a water course and woodland habitat containing mature trees along the western boundary. • The watercourse/ditch is culverted along some of its length but appears to eventually flow into Hiltingbury Lakes SINC <u>Buffer</u> A 20 m woodland buffer is required for new development to avoid disturbance to the woodland. Our maps show that the existing house is only approximately 10 m from the woodland edge, so I raise an objection to the location of this building based on an insufficient buffer zone for the woodland habitat. <u>Other Considerations</u> • The mature trees (visible in the photo of the property on Google Maps) have the potential to support nesting birds and roosting bats. A suitably qualified ecologist would need to check them for potential bat roost features. Facilitation pruning is mentioned in the Design and Access Statement. This will need to be done outside of bird nesting season (which is usually from March through August) or only immediately after a nesting bird check by a suitably qualified ecologist. • A CEMP will be required to ensure that the watercourse is protected from pollutants, including sediment, during construction. Tree protection and wildlife protection measures during construction are also required. • Surface water drainage has been addressed in the Design and Access Statement with water butts and a new soakaway within the garden for the overflow. The flood risk mitigation proposed is satisfactory (minimum FFL set & piled foundations to be used with above ground slab to retain a floodable void) • Biodiversity enhancement has been addressed by additional planting areas and a composting area towards the rear of the garden. Planting must include a wide range of flowering plants which are attractive to pollinators, and which provide a long season of flowering. Night scented flowering plants will attract moths as food for bats. A swift nest box and a bat box would also be encouraged. These could either be built into the new building, attached to the older main house, or mature trees in the garden. • Light from the outbuilding must not be allowed to spill onto the woodland area to the west of the property so that any bats using the area will not be disturbed. • The Bat Conservation Trust recommends installing a bat brick/box at least 4 m above the ground, away from artificial light sources, sheltered from strong winds and exposed to the sun for part of the day, facing south, south-east or south-west. (https://www.bats.org.uk › our-work › putting-up-your-box) • Swift nest boxes are best positioned under the eaves or on walls facing north, northeast or north-west out of direct sunlight, five metres above the ground, with clear adjacent airspace so swifts can access them in a high-speed direct flight. (https://www.swiftconservation.org/Nestboxes%26Attraction.htm)
Parish Council:	No response

Site Visit:	Yes ☒	No ☐
Details: Carried out on 27 th September 2023		

Pre-commencement Conditions:	Yes ☐	No ☒
Details: None as the application is recommend for refusal.		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"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 material considerations indicate otherwise."</i>

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 (sustainable development) and S2 (approach to new development); Development Management policies DM1(general development), DM2(environmentally sustainable development), DM11(nature conservation), DM14 (residential parking standards) Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
Principle The site is within the urban edge where the principle of development is acceptable, subject to the details complying with the relevant development policies. Character and appearance The site comprises a large two storey detached house within an extensive plot and is typical of properties found within the locality. The site is heavily treed along its western boundary and part the way along its frontage, although there are views into the side of the garden from Holcombe Road. The proposal is to construct a one and a half storey outbuilding at the side of the house. While the building's design itself is not unpleasant, its external materials, triangular dormer windows and prominent front porch are not reflective of the features of the host property and would be out of character with the more traditional style of buildings within the vicinity. Furthermore, the size of the proposal (at 6.5m high and with a floor area of 148m2) is much larger than a typical domestic outbuilding and its scale would not be subservient to the main house. Although the proposal is intended to be used as ancillary accommodation, the size of the building is more akin to a new dwelling and indeed is of a similar scale to the previously refused and dismissed applications for a new residential property on the site. Its standalone nature is further emphasized by the 9m separation distance between the outbuilding and the host property so that it almost appears to be within its own plot.

Overall, it is considered that the scale, design and external materials used in the building, along with its physical separation, will give it the appearance of an independent dwelling rather than a domestic outbuilding. This form of structure would be very different from the large traditional detached houses in extensive plots which make up Holcombe Road and would introduce a visually incongruous building that would be detrimental to the prevailing character and the appearance of the locality.

Ecology and Trees

The Ecology Officer has raised an objection as the proposed building would be within 10m from the edge of the woodland strip running along the western side of the property and so fails to provide a sufficient buffer zone for woodland habitat. However, this woodland strip isn't a statutory designated nature conservation site and is physically separated by Holcombe Road from the ancient woodland to the north. As such it is not reasonable to insist upon a 20m buffer zone.

It is noted that the proposed outbuilding would be situated within close proximity to several trees protected under a Woodland Tree Preservation Order. However, no objection has been raised by the Tree Officer as the encroachments into the theoretical Root Protection Areas are relatively minor and thus the impact will not be significant. Further, the structure is proposed to be elevated on the west side, which will allow for even less impact to the RPAs.

The remaining points raised by the Tree and Ecology Officers could be covered by conditions/ note to applicants had the application been recommend for permission.

Flooding

There is a ditch/ stream to the west of the property and the site is located within flood zones two and three. The principle of an outbuilding for the existing house is considered acceptable from a flood risk standpoint as it would be used in connection with the existing property rather than introducing new independent residential accommodation onto the site.

A flood risk assessment has been submitted as part of the application (reused from an earlier application). The flood mitigation methods previously approved by the Environment Agency have been incorporated into this scheme and this includes partly elevating the building on its west side. Flood mitigation could have been covered by planning conditions had the application been recommended for permission.

Residential Amenity

The proposed building would be located in the property's side garden, a long distance back from the rear elevation of the dwellings along Kingsway and with TPO trees separating the properties. While it is recognised that some of the neighbours are concerned about a loss of privacy, outlook and light, 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. The main windows within the proposal face towards the host property, rather than looking directly into the neighbouring sites.

Equalities Act:

Section 149 of the Equalities Act 2010 created the public sector equality duty.

Section 149 (1) 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.

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 emerging 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 emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging 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 Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved, Policies S1, DM2 and DM3 of the Adopted 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.

Conclusion:

Recommendation:	PERMIT ☐	REFUSE ☒
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Comments ...
