

Agenda Item 9

HEWEB – Hedge End, West End & Botley Local Area Committee – 12 June 2023

Application Number: F/23/95117
Case Officer: Summer Sharpe
Received Date: 26 April 2023
Site Address: Moorgreen Farmhouse, Moorgreen Farm, Burnetts Lane,
West End, Southampton, SO30 2HH
Applicant: Stephen Pryor
Proposal: Conversion of first floor of existing detached garage to
C1 AirBnB.
Recommendation:

Subject to: Securing upfront payments to offset the impact of the
development upon the Solent & Southampton Water
Special Protection Area and New Forest National Park

Then delegate to the Planning Manager, in consultation with Chair and Vice-Chair of HEWEB Local Area Committee to

PERMIT

CONDITIONS & REASONS

- 1) The development hereby permitted shall be implemented in accordance with the following plans numbered:
 - Proposed AirBnB PL/04
 - Proposed AirBnB PL/05

Reason: For the avoidance of doubt and in the interests of proper planning.

- 2) The development hereby permitted shall be used only for purposes of an holiday let within C1 use of the schedule to the Town and Country Planning [Use Classes] Order 1987, [or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification] and for no other purposes.

Reason: In the interests of highway safety and local amenity.

- 3) Within 3 months of the decision notice, a mitigation package addressing the additional nutrient inputs (nitrates) arising from the development shall be submitted to, and approved in writing by, the Local Planning Authority. Such a mitigation package shall address all of the additional nutrient loading upon protected European sites from the development and shall allow the Local
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Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of those European Sites, having regard to the conservation objectives for which they are designated. The mitigation package shall be implemented in full and evidence of this provided to the Local Planning Authority in writing prior to first occupation of the development.

Reason: To mitigate the impacts of additional nutrients arising from the development upon the European protected Solent Complex in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017.

INFORMATIVES

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (July 2021), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Report

1. This application has been referred to Committee by Councillors; House, Gomer, Corben & Garton.

Site Characteristics and Character of the Locality

2. The application site comprises a detached dwelling and garage situated to the north of Burnetts Lane. The main dwelling, Moorgreen Farmhouse, is a Grade II Listed Building, with Historic England's Listing description reading as follows: *C16 origin with C18 and C19 extensions/alterations. Two storeys. Half-timber exposed on first floor at one end; old chimney stack. Red tile with catslide at rear. Walling generally red brickwork. Mixture of casements and sashes.*
3. The subject of this application comprises the existing detached garage located to the east of the main dwelling. The erection of the garage received permission in November 2021.

Description of Application

4. The application seeks retrospective approval for the change of use of the first floor of the previously approved detached garage.
5. The detached garage received planning permission under application referenced H/21/91427. A first floor was approved; however this was stated to be used as an ancillary office space.

Relevant Planning History

6. H/22/93563 & L/22/93565
Installation of solar panels on garage roof.
Permitted (October 2022)
7. H/21/91427
Detached garage with storage and office above and new stone driveway.
Permitted (November 2021)
8. H/17/81675 & L/17/82196
Single storey side extension.
Permitted (December 2017 & February 2018)

Representations Received

9. None received.

Consultation Responses

10. Parish Council
None received.
11. EBC Environmental Health
No objection.
For short stay lettings on AirBnB, this appears suitable use of land. And, as the works appear to have been completed, we have no conditions to recommend.
12. EBC Ecologist
None received.
13. EBC Conservation Officer
As this application does not involve any further change to the exterior of the building it will not affect the setting of the adjacent listed building itself, so I have no need to make any further comment. It appears to be a change of use

issue which would not be a sufficient change to affect the setting of the heritage asset, i.e. The Farmhouse.

14. Hampshire Highways

No objection – the site is located off a private access track, which itself is accessed from a junction onto Burnetts Lane. The junction is unchanged by the proposals, and this is acceptable. Once on site, there appears to be adequate parking space available to accommodate both the existing plus proposed use. Any uplift in vehicle trips to and from the site will be minimal, and not an issue to the workings of the surrounding highway network.

15. Natural England

A Habitats Regulations Assessment has been submitted to Natural England whereby the LPA are currently awaiting their comments.

Policy Context and Designations Applicable to Site

- Countryside location
- Surface water flooding
- Moorgreen Farmhouse, and Granary to south-east are both Grade II Listed Buildings, as such the site is curtilage listed
- HRA Screening: River, SAC, SPA & Ramsar
- Solent Protection Area – Recreational Disturbance Zone

Development Plan Policies

Eastleigh Borough Local Plan 2016 – 2036

16. The relevant policies comprise:

17. Strategic Policies:

- S1 (Sustainable Development)
- S2 (Approach to New Development)
- S5 (New Development within the Countryside)
- S8 (Historic Environment)
- S12 (Strategic Footpath, Cycleway & Bridleway Links)

18. Development Management Policies:

- DM1 (General Development Criteria)
- DM2 (Environmentally Sustainable Development)
- DM8 (Pollution)
- DM11 (Nature Conservation)
- DM12 (Heritage Assets)
- DM13 (Transport)
- DM14 (Car Parking)

- DM26 (Residential Extensions and Replacement Dwellings in the Countryside)

Hampshire Minerals and Waste Plan

19. Policy 15 – Safeguarding of Mineral Resources.

Supplementary Planning Documents

- Residential Parking Standards (January 2009)
- Quality Places (November 2011)

National Planning Policy Framework

20. At national level, the National Planning Policy Framework (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The National Planning Policy Framework (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and sets out a general presumption in favour of sustainable development unless material considerations indicate otherwise.

Planning Practice Guidance

21. Where material, the Planning Practice Guidance which supports the provisions and policies of the NPPF should be afforded weight in the consideration and determination of planning applications.

Assessment of Proposal: Development Plan and / or Legislative Background

22. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a Local Planning Authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise.
23. The Development Plan comprises the Eastleigh Borough Local Plan (2016-2036) and the Hampshire Minerals and Waste Plan 2013 (which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

Background

24. Previously the garage was approved under planning application referenced “H/21/91427”. This was assessed and approved on the basis of being a garage at ground floor with office space at first floor, thus being ancillary to the host dwelling.
25. This application seeks retrospective permission for the use of the first floor of the garage as a holiday let. This use is believed to have commenced in March 2023.

Principle

26. The application site falls within designated countryside and, as such Policy S5 of the Eastleigh Borough Local Plan (2016-2036) is of relevance. This policy sets out that there are specific criteria which development must comply with in order for it to be acceptable within the countryside.
27. Section 1 of Policy S5 notes that limited development may be acceptable in the countryside to support the needs arising from rural activities and communities. The policy defines the types of development which would be compatible within the countryside (including tourist accommodation through the re-use of buildings). Section 2 clarifies such development should also meet a number of criteria to avoid harm to the environment.
28. Criteria (c) of section 1 allows for community, tourist or visitor uses through the re-use of building. This application proposes the change of use of the first floor of an existing garage to create tourist accommodation in the form of an AirBnB, which is considered to meet criteria c) of policy S5. As such, the proposals would be acceptable in principle and would be subject to the following considerations.

Design, Appearance and Impact upon Listed Buildings and the Countryside

29. Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbouring, and be compatible in terms of mass, scale, layout density, design and siting. Further, Policy S5 Section 2, of the same Plan, requires new development within the countryside to seek to avoid adverse impact upon the intrinsic character of the landscape.
30. No external alterations have been proposed as part of this application. As a result, there would be no visual impact as a result of the proposals upon the

neighbouring listed buildings, nor the wider surrounding countryside.

Impact upon Neighbouring Amenity

31. Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
32. Due to the nature and change of use of the proposals, the Council's Environmental Health Team have been consulted. They have raised no objection to the proposals.
33. It is also noted that the detached garage is situated to the east of the main dwelling, which provides some screening to the closest neighbouring amenities, situated to the west of Moorgreen Farmhouse. As a result of the separation distance, combined with the nature of the proposals, only having 1no. bedroom, the proposals are not considered to result in an adversely harmful impact upon the neighbouring amenities.

Highways Safety & Parking

34. Policy DM13 of the Eastleigh Borough Local Plan (2016-2036) requires that development is or could be well served by public transport, cycling and walking and it includes measures which minimise its impact on the existing highway network. Policy DM14 of the same Plan requires that an appropriate level of car parking be provided in accordance with the Council's adopted standards. The policy provisions are consistent with the requirements of the NPPF and in particular those of paragraphs 107 and 108.
35. Due to the nature of the proposals, the Local Highway Authority (LHA) have been consulted, whereby they raised no objection. It was noted that the site would be accessed via the existing arrangement which would not have an adverse impact upon the highways network. Whilst it was acknowledged that there would be an uplift in vehicular trips, it was considered minimal thus would not have an adverse impact.
36. The proposals would retain the existing access and parking arrangements. The application site specifically comprises an existing garage with 2no. vehicular parking provisions at ground floor. Further to these parking provisions, Moorgreen Farm benefits from a large driveway which could also cater for additional vehicles. The proposals would therefore be acceptable in this regard.

37. To conclude, the proposals are considered to be in accordance with the abovementioned policies and would therefore be acceptable.

SPA Mitigations

38. The Council, as the responsible body for Habitats Regulations Assessment (HRA), must ensure as part of a planning application that a development will not have an adverse impact upon any European protected sites, and specifically in this case, the European protected Solent Complex (SPA, SAC and Ramsar sites), River Itchen (SAC) and New Forest National Park (SPA, SAC and Ramsar sites). It is recognised that the addition of residential development would have an adverse impact upon the surrounding designated European protected sites.
39. A HRA has been submitted to Natural England, their comments are awaited.
40. The Solent & Southampton Water Special Protection Area is an internationally designated conservation site and is protected for its overwintering birds. It is recognised that new house building and overnight tourist accommodation (within a 5.6km buffer of the designated area) is placing increased pressure on these overwintering birds from more people visiting the coastline. As such the Council requires all housing developments and overnight tourist accommodation within the buffer to make a financial contribution towards the Solent Recreation Mitigation Strategy, which aims to limit recreational disturbance to our coastline through careful management. The application site falls within the 5.6m buffer and therefore the 1-bedroomed AirBnB would require the mitigation monies of £443 (as of 1 April 2023). This would be secured prior to permission being granted.
41. In terms of water quality, Natural England have advised that residential development and overnight accommodation should achieve nutrient neutrality in order to mitigate the impacts of additional nitrogen arising from the sewage generated by the future residents and guests. This wastewater then feeds into the Solent Complex via Waste-Water Treatment Works which discharges into the river network and so causes eutrophication affecting the features for which it is designated. The Council has adopted its own strategy for achieving nutrient neutrality whereby it identifies areas of agricultural land and remove these from a nitrate intensive use, thus reducing the nitrogen input into the protected sites, with the level of reduction then being used as a means of offsetting the impacts of development proposals within the Borough. This ensures no overall net increase in nitrates within the Solent and thereby allow a development to achieve nutrient neutrality. In order to do this, the Council calculates the level of nitrate mitigation this land provides (measured in kg) and makes 'nitrate credits' available to developers to buy, with funding being secured during the planning application. The HRA concluded that the

proposals would result in an additional 0.84kg/TN/year. Mitigations for this are recommended to be secured via condition.

42. Furthermore, Natural England has also recently raised concern with regard to additional residential development within 13.8km radius of the New Forest. This is considered to have an adverse impact upon the New Forest by way of additional trips resulting in further recreational disturbance. The Council have a strategy which requires £2,200 per residential unit to offset the impact upon the New Forest National Park, which was covered within the HRA. In this strategy, different types of accommodation are dealt with on a case-by-case basis. In this instance, it is considered that the mitigations for a single dwelling would be sufficient to offset the harm arising.

Climate Impact and Sustainability

43. In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other this, 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 Councils 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.
44. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF and development plan 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 adopted plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Local Plan, as is an assessment of climate impacts.
45. 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 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 limit impacts on climate emissions as a result of the development or its use.

Equalities Implications:

46. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-
- a. A public authority must, in the exercise of its functions, have due regard to the need to:
 - i. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - ii. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - iii. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
47. 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

48. To conclude, the proposals are considered to be acceptable, in accordance with the abovementioned relevant policies. The proposals are therefore recommended for approval, subject to securing monetary mitigations and conditions.

F/23/95117



EASTLEIGH
BOROUGH COUNCIL



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Date: 30/05/2023 Scale: 1:1250