

DELEGATED OFFICER REPORT:**Application Ref:** F/23/95510**Site Address:** BURSLEDON CONGREGATIONAL CHURCH, SCHOOL ROAD,
BURSLEDON, SOUTHAMPTON, SO31 8BU**Case Officer:** Clare Martin**Description:** Conversion of Methodist church hall to 3no. 2 bedroom dwellings, with associated parking, amenity space, elevational alterations including insertion of rooflights and provision of raised decked areas.

Particular Site Constraints?	Yes ☒	No ☐
• Within the urban edge • Flood zone 2 & 3 • Public right of way (along Spring Grove) • Close to heritage assets: - Locally listed buildings (opposite side of school road) - Grade II listed building (Thatched Cottage – 350m north east of site) - Old Bursledon Conservation Area (150m to the south east of site)		

Planning History?	Yes ☒	No ☐
• F/21/89869 - Conversion of former Methodist church hall to 3no. 2 bedroom dwellings, with associated parking and construction of garage, amenity space, elevational alterations including insertion of rooflights, and provision of raised decked areas – Refused (February 2023) • F/20/87453 – Conversion of former Methodist Church Hall to 6no. residential apartments (comprising of 4no. studio and 2no. 1-bedroom apartments) with associated parking and amenity space, elevational alterations, rooflights and raised decked areas – Withdrawn (April 2020)		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations: (summarised)	<u>1 letter of support, 1 comment letter & 8 letters of objections</u>, which raised the following points: <i>Principle, Character and Amount of Development</i> • Development will preserve the fine old building before it deteriorates completely. • Residential development offers no community benefit for the neighbourhood. No evidence that the building has been marketed for a community use. • More housing is not needed in the area and will have a negative impact on local services such as doctors • Conversion to three dwellings is not in keeping with surroundings and is an over development. Would prefer conversion to two dwellings instead. • Empty spaces on floor plans could be developed into living accommodation in the future. • The rooflights have a negative impact upon the building's appearance. <i>Car Parking and Highways</i>		

	- Insufficient on site car parking and manoeuvring space. vehicle tracking diagrams are questionable as the proposed areas require an enlarging of the driveway and entranceway. Extra space could be provide if grass verge is purchased and included in the site. - Area in front of site is used for residents parking and could restrict vehicular access into the site. - Overflow parking will impinge on neighbours and is already an issue in the area. - No visitor parking provided. - Increase in traffic, noise and pollution - The development may impact upon the safety of those using the established footpath, including children walking to school. <i>Residential Amenity</i> - Impact on light, outlook and privacy of neighbouring properties. - Additional noise disturbance from new residents compared to current empty building. <i>Flooding and Drainage</i> - Insufficient information provided within the flood risk assessment. - Lack of drainage and sewage infrastructure <i>Plans</i> - Discrepancies between the proposed floor plans & sections regarding the height of glazing on the first floor rooflights. How does the mezzanine floor dissect the height of the stain glass windows? - Plans should show existing features, such as the lamp post and Yew Tree on northern side. <i>Other</i> - The applicant needs to maintain the building. There have been cars dumped on the site, fly tipping, vandalism and the boundary fence is falling down and so posing a security risk for neighbouring property. The Applicant has not communicated with the neighbours. - Disruption during the building period. - Encroachment of the site to the north onto Glencoe - No changes from previous application - Devaluation of properties - Unit 2 has no rear access. How will they get rid of their garden waste?
Environment Agency:	No objection, subject to conditioning floor levels
Transport Officer (HCC):	At present, the site is accessed via a gate, and plans state that the gate is to be removed along with some existing railings. Onwards vehicle tracking diagrams have been supplied to show how all 6 vehicle parking spaces can be accessed. However, plans do not make clear exactly what works will be undertaken to formally widen the driveway access (i.e. hard surface the grass verge), against which a condition could be applied to ensure the works are undertaken prior to occupation. It is therefore recommended that the Case Officer requests this on updated plans, ensuring the widened driveway access proposed is sufficient to contain the vehicle tracking required.
Tree Officer:	No objection

	The comments from previous applications are still valid (e.g. F/21/89869). There are no significant trees on site. There are some garden specimens in the neighbouring property to the south, but these are not significant in the local area with regards to amenity. The small pine tree to the immediate south of the front car parking area should not be significantly impacted as the area is already hard standing and it is unlikely that the roots of this tree are dependent on this area.
Ecology Officer:	I have reviewed the Bat Survey Report by Peach Ecology (V1, updated July 2023). The building was assessed to have high bat roost potential and three emergence/re-entry surveys were done in August and September 2021. Although bats were recorded in the area, no bats emerged from or re-entered the building. An update walkover was done in July 2023, which determined that conditions had not changed. There were still no signs of bats (droppings, feeding remains, staining) so it is not likely that bats are using this building. The potential roost features are still present. The consultation response goes onto to ecology advice for carrying out the work, ecological enhancements and planting & lighting. A CEMP is required to ensure that no sediment or pollutants enter the ditch/swale on the southern side of the site. I have reviewed the Flood Risk Assessment and Drainage Strategy by Aqua Callidus Consulting (issue 3, June 2023). The existing surface water drainage system, with the existing swale on the south side of the site, is recommended to be used, supplemented with water butts to intercept roof runoff.
Built Heritage Officer:	<u>No Objection</u> - This is a suitable conversion that will save and improve the building, thereby improve the locality and the setting of the conservation area and some nearby locally listed buildings. <u>Context</u> This property is not actually within the Old Bursledon Conservation Area, it is about 150m from the north-western tip, but is quite close to a listed building – The Thatched Cottage in Portsmouth Road, added in June 1981 ahead of the majority of listings in the current list. It is described as ‘<i>Late C18 small single-storeyed Romantic cottage. Thatched roof. Rendered walling (cob?) and tarred plinth. Casements, one roundheaded.</i>’ Development of this plot will not affect the setting of the listed building as there is a relatively modern house between the two obscuring any view and while it may be argued development here might affect the setting of the conservation area, I do not believe the proposed works will cause concern. <u>Proposal</u> This is a very long building, effectively two placed end to end which lends itself well to the proposed subdivision into three units. Due to its lack of use it is currently in a rather sorry state, so this conversion, inevitably involving some external alterations will be the building's saviour, re-energising a building of long standing in this community. Architecturally the more important part of the building is ‘the chapel’ element at the front which from the public faces of the building

	remains virtually unaltered, save the addition of two conservation roof-lights toward the rear of the north elevation facing Spring Grove which are unlikely to be very evident as one can only see the building from close quarters, as always, they should be set with the glass level with the surrounding roof finish. From the south side it is the same plus the addition of a pair of French doors to the front side window. This would have been preferable had it been further back but one can see from the plan not really an option, however as things stand at the moment it is unlikely to be seen by others due to the evergreen trees blocking a public view of it. The longer, lower rear element of the building, to be split into two units, will have more alteration of the fenestration and openings but will result in better balanced elevations and the new garage opening, taking inspiration from the 'chapel' windows feels entirely appropriate. The one roof-light has been well placed toward the rear and aligned with the almost identical window below – perfect placing. The south elevation is not quite so successful largely due to the functional requirements and restrictions, but is of less import in any event and is in keeping with the style of the building.
Access Development Officer (HCC):	<u>No Objection</u> – subject to condition Bursledon Footpath 12 (FP12) runs east along Spring Grove, an unadopted road, adjacent to the site's north boundary, turning north off Spring Grove and away from the site to Portsmouth Road. <i>Access</i> - FP12 will be largely unaffected by the development as proposed. It is noted vehicle access to the future properties is to be over part of FP12 and, as the Ramblers have advised, the Applicant will need to satisfy themselves a private right of access exists. <i>Building works</i> - During and after the work proposed, FP12 must remain unobstructed and safe to access at all times for pedestrians as well as vehicles of residents accessing other properties along the path. So as not to obstruct FP12/ Spring Grove or be potentially hazardous to the public, vehicles associated with the proposed conversion, including HGVs, must be able to load/unload wholly within the curtilage of the development site and, as much as possible, turn within it to enable entry and exit to be achieved in a forward-facing gear. <i>Railings</i> - It is noted that existing railings alongside FP12/ Spring Grove are to be removed but it is unclear what will replace them. The Applicant must ensure their replacement, to be sited no further into FP12 than present. This will minimise the hazard of potential conflict with persons using FP12/ Spring Grove. <i>Potential Damage</i> The Applicant should be further aware that were the surface of FP12/ Spring Grove to be damaged by private vehicle access, whether during construction or future occupation, the occupier and/ or landowner at the time would carry responsibility for repairing, at their own expense, any such damage.
Parish Council:	<u>Objection</u> due to over development of the site and the negative impact this would have on parking and access to other properties.

Southern Water:	General advice only
Eastleigh Ramblers:	<u>Objection</u> in the interests of the proper planning of the area and the protection of the use of the public footpath. Any redevelopment should be limited to two dwellings and four car spaces with all vehicular and pedestrian access to the properties being taken solely from the existing unamended vehicular access from Church Road thus maintaining the current use and operation of Spring Grove. This application is an improvement in that it does not propose the construction of parking spaces other than within the area already accessed from an existing access from the junction of School Road and Spring Grove and with the addition of one car space numbered 1 on the site plan. It does however involve the removal of the existing gates, railings, and the vegetation along the frontage to Spring Grove as far as the eastern end of Car Space No 1 which is presumably intended to facilitate the turning and moving of vehicles in and out of the car spaces. It does propose the construction of pedestrian accesses to Units 2 and 3 from Spring Grove where no accesses have previously existed and upon which those units will rely for the functioning of the dwellings. This would mean users of vehicles desiring to park there for the purposes of deliveries and unloading. As Spring Grove is a public footpath any vehicular use would have to be as a result of the existence of private rights over Spring Grove. The developer of these two units and the prospective purchasers thereof should satisfy themselves that such rights exist and if they do exist they can be exercised in a way that does not interfere with other owners rights over Spring Grove. Although only affecting the public footpath from a scenic point of view this application would appear to involve the removal of vegetation the impact of which needs to be considered by the local planning authority. Consideration needs to be given to where and how the refuse bins will be moved to and stored on bin collection days. This needs to be in a way that does not obstruct those that do have a legal right to use Spring Grove and so as not to obstruct the public footpath.
Bursledon Rights of Way and Amenity Group:	No detailed comments provided.

Site Visit:	Yes ☒	No ☐
Details: Carried out 8 th September 2023		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

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 Eastleigh Borough Local Plan 2016-2036 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), DM3 (adaption to climate change), DM5 (managing flood risk), DM11(nature conservation), DM12 (heritage), DM13 (transport), DM14 (residential parking standards), DM30 (internal space standards), DM36 (community, leisure and cultural facilities)

Supplementary Planning Documents:

Quality Places; Residential Parking Standards & Character Area Appraisals.

Proposal and Planning History:

The proposal is to convert the building into 3no. two bed dwellings split over the ground floor and a new mezzanine floor. The area in front of the building is to be used for the parking of five cars with an additional parking space at the side. The strip of land to the south of the building would be split into three gardens each with a raised decking. The proposal also includes roof lights, bin and cycle storage, ramped entrance to units 2 & 3 and removal of railings/ gate at the front of the site.

The proposal is a resubmission of a previous scheme for 3no. two bed dwellings (F/21/89869). The previous scheme was refused on the grounds of flood risk, loss of a community use, inadequate car parking, lack of bat information and impact of nutrient loading and recreational disturbance on the special protection area. We are currently awaiting the outcome of the appeal.

The amount of development, design and layout of the current submission follows the previous application apart from the car parking, which was originally split between the front parking area and a new integral garage/ parking area between units 2 & 3. The integral garage has now been removed and additional spaces created within the building's frontage. The current submission is also accompanied by a design and access statement, flood risk assessment & drainage strategy, highway technical note & bat survey report.

Assessment:**Principle (including Flood Risk and Loss of Community Facility)**

The site is located within the urban edge where the principle of development is usually acceptable, subject to compliance with the relevant planning policies. The site is also within a reasonably sustainable location close to Lowford Village Centre and local bus routes.

An updated flood risk assessment has been provided and it has been accepted by the Environment Agency that the site is within Flood Zone 3a (high risk of flooding). Residential accommodation falls within the more vulnerable flood risk class, which in principle is allowed within flood Zone 3a. Although the proposed change of use to residential would still need to pass the exception test.

Another key consideration is that the existing building was originally constructed as a church, which as a community facility is covered by Policy DM36. Point 5 of Policy DM36 states ...*"The loss of existing community, leisure or cultural facilities to other forms of development will not be permitted unless:*

a. alternative provision is made which is more appropriate to the needs of the community, or is more accessible; or

b. the existing facility can be shown to be surplus to local needs. Any facilities surplus to requirements should where possible be re-developed/re-used in a way that maximises benefits to the local community."

In this case, the building has not been used as a church for over 10 years with google street view showing the building first being put up for sale in May 2012. During this period the building has been used for ad hoc storage, although the use has not regularised through a certificate of lawfulness. It is understood that attempts were made back in July 2021 to find an alternative community use, with no success and there is no indications that the market has recovered. The area is well served by a range of community facilities, including the nearby Bursledon Community Centre constructed in 2014, and it is reasonable to assume that the unused community building is surplus to requirements.

Flooding - Exception test

The exception test requires:

- The development to provide wider sustainability benefits to the community that outweigh the flood risk
- The development to be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In terms of the first test, the building is of an interesting design, but has been allowed to fall into a rundown state, with instances of vandalism and fly tipping, and unless a use is found the site is likely to decline further. The conversion of the existing building to residential can be achieved with only limited alterations and it is recognised that bringing the existing building back into a functioning use would improve the rundown appearance of the site. A restored building will also have a positive impact on the appearance of the wider locality, which is especially important given that the site is on the approach to Old Bursledon Conservation Area and is within close proximity to a number of heritage assets (locally listed buildings & grade II listed Thatched Cottage).

Additional benefits also come from the residential development making a very modest contribution to the borough's five year housing land supply and the reuse of the building (rather than redevelopment) results in a much smaller carbon footprint.

While it is recognised that the site is within a high risk flood zone it is considered that the sustainability benefits outweigh the flood risk.

In terms of the second test, a new flood risk assessment has been provided covering the surface water drainage strategy and flood risk management methods and off site impacts. The proposal uses the existing surface water drainage system and swale on the south side of the site, supplemented with water butts to intercept roof runoff.

The document has been reviewed by the Environment Agency, who has raised no objection on flood risk grounds providing the finished floor levels are set no lower than 20.90m AOD at the Western End and 21.06 AOD at the Eastern End.

It is therefore considered that the development passes both parts of the exception test.

Amount of Development

Policy DM30 requires all new dwellings to meet the Nationally Described Space Standards. The proposal is to convert the existing building into 3 no. two bedroom dwellings, each of which have an internal floor area of 92m² to 74m² and so meet the nationally described internal space standards.

For external space, Quality Places SPD requires all new residential developments to provide an outdoor amenity space of at least 60% of the dwellings floor space. Although this minimum may be reduced in urban areas when the dwelling is within 100m (by safe and convenient route) of a public open space.

Each of the dwellings have access to their own private amenity area at the rear of the church, the smallest of which is around 35m² (for plot 2). While the size of some of the amenity areas are below standard (at 60% of the dwellings floor space as set out within quality places SPD), they nevertheless allow a space for the residents to sit outside and carry out day to day activities such as drying washing. It is recognised that the space around the existing building is finite and the under provision of amenity space is considered acceptable on this occasion, bearing in mind the desire to conserve the building and the fact that the site is within a reasonable walking distance of Long Lane recreational ground.

Access and Car Parking

Policy DM13 requires that all new development has a safe and convenient access to the highway network, with Policy DM14 requiring an appropriate level of car parking be provided in accordance with the Council's adopted standards. Residential Parking Standards SPD requires two usable on-site car parking spaces to be provided for each two bedroomed dwelling, which would equate to six on site parking spaces for the proposed development. No visitor parking is provided.

The car parking spaces are shown on the site plan with five spaces on the property's frontage and a further space tucked at the side of the building. The parking area is currently accessed via a gate, which would be removed along with some of the existing railings to provide a wider access. No detailed plans have been provided for the access works.

The proposed car parking area is very tightly packed with two rows of tandem parking spaces, which is not ideal as vehicles parked at the front would need to be moved to access the rear spaces. There is not enough left-over space available on the sites frontage to manoeuvre cars and as such Spring Lane would need to be used for both access and turning of vehicles. A swept path analysis has been provided to demonstrate how the spaces could be accessed.

However, access from Spring Lane poses two significant issues. Firstly, the agent has not provided evidence to establish whether the new residents would legally be able use Spring Lane for this purpose, as Spring Lane is a private road rather than part of the public highway. If Spring Lane couldn't be used, then the proposal would not be able to provide any on-site car parking and so be contrary to Policy DM14. While there are some basic facilities and local transport links in nearby Lowford centre, it would be unreasonable to expect residents not to have access to private transport.

Secondly, the private road is already used by existing residents for car parking as the area has very limited on street parking. Therefore, it could not be guaranteed that the necessary manoeuvring space within Spring Lane would be available when residents want access their cars. Indeed, access to the parking area was restricted at the time of the site visit by a car parked at the entrance to Spring Lane (alongside Lowford House)

This lack of access would cause a significant problem for new residents, who would either be restricted in their travel choices or be forced to find alternative on road car parking within the locality. The development would therefore put additional demand for on road parking, which is very limited in the locality given that Spring Grove is an unadopted road and there are parking restrictions along School Road. Any additional overflow parking from the development would likely cause a hazard for existing highway users and so would be contrary to Policy DM13.

Character and appearance

As part of Policy DM1 development is required to take full and proper account of the context of the site (including the character and appearance of the locality) and be well integrated with these (in terms of mass, scale, materials, layout, density, design and siting), both in itself and in relation to adjoining buildings, spaces and views.

The residential conversion has been sympathetically designed, retaining much of the building's heritage, including the important chapel element at the front. The proposed fenestration is generally in keeping with the existing building and no objection has been raised by the Council's Built Heritage Consultant. However, the parking area at the front of the site will let the development down as it would need to be hard surfaced with no landscaping and so not provide an appropriate setting for the restored building.

Residential amenity

Policy DM1 amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents. Additional residential amenity guidance is provided within the Council's Quality Places SPD.

The proposal would convert the existing building and therefore has no extra impact on the outlook or light currently enjoyed by the residents of the adjoining properties. Most of the windows are on the ground floor and additional screening could be added along the boundary with 11 Redcroft Lane to prevent overlooking into their garden. The proposal also includes a small number of roof lights for the upstairs bedrooms, which would be located above eye height.

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. Furthermore, the proposal is located within an existing residential area and the proposed three residential units is not considered to introduce an unacceptable level of noise or disturbance to existing dwellings.

Ecology

Policy DM11 states that development will not be permitted if it is likely to have a direct or indirect adverse effect on priority habitats, protected or priority species, or on the local ecological network unless it can be demonstrated that a) there are no alternative solutions, b) the adverse impact are unavoidable, c) measures are taken to mitigate or compensate for the adverse effects. d) there is an overall biodiversity net gain.

The submission includes a Bat Survey Report by Peach Ecology (V1, updated July 2023). The building has been assessed to have high bat roost potential and three emergence/re-entry surveys were done in August and September 2021. Although bats were recorded in the area, no bats emerged from or re-entered the building. An update walkover was done in July 2023, which determined that conditions had not changed. There were still no signs of bats (droppings, feeding remains, staining) so it is not likely that bats are using this building. On this basis no objection has been raised by the Ecology Officer. A construction environmental management plan, biodiversity enhancements and ecology conditions would have been applied had the application been recommended for approval.

Trees

Policy DM1 requires development not to result in the loss or damage of important trees. Further guidance on this issue is provided within the Council's Trees and Development SPD.

While the third-party comments regarding the Yew Tree are noted, the Tree Officer has fully considered the proposal and has not raised an objection. The proposal is not considered to affect any significant trees.

Impact of SPA:

Recreational Disturbance

The site is within both the 5.6km catchment area for the Solent Special Protection Area and Ramsar Site and the 13.8km catchment area for the New Forest Special Protection Area. It is recognised that new housing developments within these catchment areas are likely to result in additional visitors and potential damage to these protected sites. In order to mitigate for these impacts the developer has agreed to pay a contribution towards the Solent Recreation Mitigation Strategy (which manages visitors to the coastline) and the Council's New Forest Mitigation Strategy (which provides Suitable Alternative Natural Green Spaces within the borough). No contribution has been received to date.

Nutrients

The site is within the impact zone for nitrogen, which has been shown to have a determinantal impact on the water quality of the Southampton and Solent Water SPA. A nutrient budget has been submitted for the development, which shows a positive output for nitrogen. However, while the submission suggests possible nutrient mitigation schemes for the development, no definite details have been provided to allow the Local Planning Authority to complete an appropriate assessment. No nutrient mitigation has been secured to date.

As such the proposal is likely to have a detrimental impact on the Special Protection Area, both in terms of recreational disturbance and an increase in nutrients.

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 ☒