

Application Number: H/25/100469
Case Officer: Charlie Vallis
Received Date: Tuesday 18th November 2025
Site Address: BARN COURT, HIGH STREET, BURSLEDON,
SOUTHAMPTON, SO31 8DL
Applicant: Mr B Wright
Proposal: Conversion of existing detached garden store to an
annexe ancillary to the host dwelling.
Recommendation: PERMIT subject to conditions

CONDITIONS AND REASONS

1. The development hereby permitted shall be implemented in accordance with the following plans: PG.7081-22-01 Rev J and PG.7081-22-02 Rev G.

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

2. The annexe hereby permitted shall only be used in conjunction with and for purposes ancillary to the main dwellinghouse, and shall not be sold off, occupied or used as an independent unit of accommodation, or as a holiday let. Use as overnight accommodation shall only be by a relative of the occupier/s of the existing dwelling.

Reason: In the interest of the character of the locality and as the site is not considered suitable for sub-division into two separate dwellings.

Note to Applicant: Surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. For more details, refer to the Drainage and Waste Disposal: Approved Document H on the GOV.UK website.

Note to Applicant: Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water.

Note to Applicant: In accordance with Local Plan policy DM11 and NPPF paragraphs 187d and 192b, biodiversity enhancements are recommended on site in the form of a bat box and a bird box. Please see the Bat Conservation Trust website for further details (<https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes/putting-up-your-box>).

Note to Applicant: In accordance with paragraph 39 of the National Planning Policy Framework (December 2024), 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 Cllr Craig, as Chair of Bursledon, Hamble-le-Rice & Hound Local Area Committee.

Site characteristics and character of the locality:

2. The application site lies within the Old Bursledon Special Policy Area and Zone 7 of the Old Bursledon Conservation Area, situated towards the centre of the High Street, which forms part of the historic core of Old Bursledon. The surrounding area is characterised by a mix of historic buildings and boundary walls, with a mature backdrop of trees and planting providing a green setting which enhances the built form.
3. Barn Court is within a hexagonal courtyard of buildings, sitting as the building with the most presence in the group; all other buildings sit slightly lower, forming the flanking arms of the court, previously with a pond in the middle and including on the north-east corner the Grade II listed building of Lattice Cottage, which is understood to formerly have been Hacketts Farmhouse.

Description of application:

4. This application seeks approval for the conversion of a single storey detached outbuilding to an annexe ancillary to the residential use of the host dwelling.
5. The outbuilding is situated to the east of the host dwelling's rear garden, nestled amongst mature trees, and was originally approved in September 2022 as a garden store under H/22/93123. In line with this approval the structure measures approximately 6.3m(l) x 6.3m(d) x 3.9m(h), constructed of timber frame, with oak cladding, a slate roof, hardwood windows and double doors on the north elevation in the style of a double garage. The structure is supported by piled foundations, resulting in minimal impact on surrounding trees.
6. The annexe would provide open plan living and sleeping accommodation, together with a small kitchen area and shower room. The submitted planning statement outlines that the annexe would be used as an additional residential space for a family member.
7. The application documents can be viewed [here](#).

Relevant planning history:

- **H/24/98637 – Conversion of existing detached garden store to an annexe ancillary to the host dwelling – Dismissed at Appeal – Oct 2025**
Appeal Ref: APP/W1715/W/25/3365615 - The sole reason for dismissing the appeal was due to the lack of nutrient mitigation.
- H//25/99292 – Construction of outbuildings in the rear garden (Retrospective Application) – Approved – Sep 2025

- **H/22/93123 – Construction of a garden store to provide additional storage – Approved – Sep 2022**
- C/04/51963 – Erection of replacement boundary wall with vehicular and pedestrian gates (two alternative schemes) – Refused – Dec 2004
- C/39089/002/00 – Construction of single storey front extension, first floor side extension and 2no. galleried windows to rear – Approved – Jan 2004
- C/39089/003/00 – Erection of replacement boundary wall and gated access – Refused – Feb 2003
- C/39089/001/00 – First floor side, single storey rear and single storey front extensions; insertion of two rear gabled balconies and garage door; demolition of existing shed and steps, alterations to access with new boundary wall, pillars and gates; and construction of summer house on raised plinth in rear garden – Approved – Aug 2003
- C/29825/004/00 (at The Long Cottage) – Erection of garden store/workshop – Approved – Aug 2003

Representations received:

8. Two letters of objection were received from neighbours at The Long Cottage and Hacketts. Their points are summarised below:
 - Incomplete and inaccurate application information: inaccurate in showing the outbuilding and the full extent of development on site (including removal of vegetation, new fencing, pedestrian walkway and additional storage sheds). Absence of full justification for the annexe.
 - Impact on residential amenity through increased light pollution, noise and loss of privacy.
 - Concerns that facilities necessary for independent living could be installed at a later date and/or the building extended to meet requisite space standards.
 - Impact of works to construct the outbuilding and wider development works on local ecology.
 - Drainage and wastewater concerns, relating to existing shared drain run.
 - Lack of details of the means of foul drainage and nutrient mitigation.
 - Condition 4 of H/22/93123 requiring an arboricultural method statement prior to commencement of the works was not discharged.
 - Request for robust, precise and enforceable conditions to prevent further development, restrict the occupancy of the annexe, revoke permitted development rights and future use of the building as standalone or rental accommodation.

Officer's response: The information submitted was considered adequate to assess the application, with the same information considered sufficient to determine a recent appeal for an identical proposal.

Regarding its accuracy, measurements of the outbuilding have been taken during planning enforcement investigations which correspond to the submitted plans and those approved under H/22/93123. The height of the roof was not measured on

site; however, site photos indicate that any deviation from the plans is not significant.

Although condition 4 of H/22/93123 was not formally discharged, the Council's tree officer is satisfied that the relevant arboricultural advice has been followed.

Additional structures close to the annexe have now received planning approval (ref. H/25/99292).

Due to raising of land in places, boundary fencing may be slightly above the height limits under Town and Country Planning Act (General Permitted Development) Order Schedule 2, Part 2, Class A; however, enforcement investigations deemed that this would be minimal and not expedient to pursue. Other works on-site did not require planning permission.

Impacts on residential amenity, the requirement for nutrient mitigation and any necessary planning controls for its use and occupation will be considered in this report.

Matters related to drainage and wastewater are dealt with under Building Regulations legislation (Part H), comments from the relevant statutory undertaker (Southern Water) have also been provided.

Consultation responses:

9. **Parish Council:** Requested that the application is sent to Local Area Committee.
10. **Built Heritage:** No objection, regarding built form in the conservation area.
11. **Natural England:** Providing the annex is ancillary to the main dwelling, it would not count as a separate dwelling unit and nutrient neutrality mitigation isn't required. If the annex is a separate unit, and is considered a net gain in residential units, then nutrient neutrality would be triggered.
12. **Southern Water (SW):** SW have determined that the flow rate for the above site will remain consistent, so capacity is not an issue, and no SW assets will be affected. Therefore, SW has no objections to this proposal.

Their full response provided a map of SW assets on-site, as well as information related to surface water disposal and a New Sewer Connection application, which have been recommended to be added to the decision notice as informatives. Their response also noted that previously private sewers, now deemed public, could be crossing the above property and may not be shown on SW records. Therefore, if any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site.

13. **Old Bursledon Action Group:** No response received

Policy context designations applicable to the site:

- Outside the urban edge
- Within Old Bursledon Special Policy Area
- Within Old Bursledon Conservation Area
- Adjacent to a Listed Building (Lattice Cottage)
- Article 4 direction removing Householder Permitted Development rights under Class E (outbuildings).

Development Plan Local Plan Policies:

Eastleigh Borough Local Plan 2016-2036.

The most relevant policies are:

Strategic policies:

- S1 (Delivering sustainable development);
- S2 (Approach to new development);
- S5 (New development in the countryside);
- S8 (Historic Environment).

Development Management policies:

- DM1 (General criteria for new development);
- DM11 (Nature Conservation);
- DM12 (Heritage Assets);
- DM14 (Car Parking);
- DM26 (Residential extensions and replacement dwellings in the countryside);
- DM30 (Internal space standards for new residential development).

Bursledon, Hamble-le-Rice and Hound:

- BU7 (Residential extensions and replacement dwellings, Old Bursledon Special Policy Area).

Supplementary Planning Documents:

- Quality Places (November 2011);
- Parking Standards (September 2025);
- Trees and Development (April 2022);
- Old Bursledon Conservation Area Appraisal and Management Proposals (February 2012).

National Planning Policy Framework:

14. 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.

Planning Practice Guidance:

15. 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

16. 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. The Development Plan comprises the Policies of the Eastleigh Borough Local Plan Review 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.
17. The site also lies within a Conservation Area and Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states: "In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

Policy and Principle:

18. Positioned within the Old Bursledon Conservation Area (CA), the Old Bursledon Special Policy Area (OBSPA) and outside the urban edge, the principle of development is not accepted unless in accordance with the policies of the Local Plan (in this case Eastleigh Borough Local Plan (2016-2036)). Policy DM26 makes provision for residential extensions within the countryside, subject to compliance with the general development criteria and transport policies of the Local Plan and compliance with certain criteria, for example, providing that they are not disproportionate in size to the existing dwelling, neighbouring properties or its plot.
19. Policy BU7 relates to residential extensions in the OBSPA, outlining that they shall be permitted provided that extensions do not increase the volume of the original dwelling (as existing when the conservation area was first designated in 1982) by more than 25%; have regard to the impact of the development on the space between buildings and openness of the area; is subservient to and in proportion with the existing building in form, scale and design; does not contribute to cumulative urbanisation of the area; and are not otherwise detrimental to the character of the area as viewed from the River Hamble. As the proposal is considered to be an extension of the main dwelling's residential use, the guidance set out in policies BU7 and DM26 is relevant to the assessment of this proposal.

Impact on the Conservation Area, Special Policy Area and Listed Buildings:

20. In accordance with policies DM12 and BU7, the development does not detract from the significance of the setting of the CA and OBSPA, involving the conversion of an outbuilding considered subservient and proportionate in scale and design to the main dwelling and its locality. This application seeks approval for the conversion of the outbuilding only, not resulting in changes to its external appearance.
21. Located within a discrete corner of the garden, under the canopy of mature trees, the proposals would not disrupt the openness between buildings, nor be detrimental to the character of the area as viewed from the River Hamble. Although its use as an annexe may result in extended hours of internal lighting, this does not constitute cumulative urbanisation. As such, the proposal is considered to satisfy the requirements of policy BU7. This perspective is supported by the Council's Built Heritage consultant and the recent appeal decision relating to this proposal.
22. Section 66(1) of the Planning (Listed Building & Conservation Areas) Act 1990 states:
 - a. "In considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority ... shall have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
23. There are listed buildings in the vicinity, the setting of which must be protected. However, the nature and quality of the structure will not cause harm to the setting of the nearest heritage asset (Lattice Cottage), as confirmed by the Council's Built Heritage Consultant.

Use as an annexe:

24. In relation to its use, the application demonstrates a functional connection between the proposed annexe and existing main dwellinghouse. The principle of its use as an annexe is considered acceptable, a position supported in the recent appeal decision relating to this proposal.
25. A connection with the main house is supported by an external link and all-weather access between the host dwelling and the outbuilding through a garden path (installed under Town and Country Planning Act (General Permitted Development) Order Schedule 2, Part 1, Class F). In addition, the annexe would share rear amenity space with the main house as well as front access, as indicated on the red line of the location plan. The recent appeal decision outlines that any side access is considered to be outside the remit of the application and a civil matter between neighbouring parties.

26. The proposed occupation as an additional residential space for a family member demonstrates a strong connection to the main house. Regarding the extent of its internal facilities, residents of the annexe would be reliant on the host dwelling for key day-to-day activities such as socialising, main meals and laundry as only a small kitchenette, shower room, living area and bed is to be provided in the annexe. As per the Nationally Described Space Standards, the internal floor space of the proposed annexe would not be large enough to constitute an independent residential unit and is unlikely to be successfully converted into one. Whilst there is a lean-to store to its side, the scale and height of this is such that storage is its only likely use.
27. With the above in mind, a strong connection and functional dependence to the main house is considered likely. A condition restricting the annexe to a use by a family member of the occupants of the main dwelling has been proposed, to ensure that the link between the annexe and main dwelling are maintained. Moreover, to alleviate concerns raised, this condition would also restrict any use as a holiday-let in the interest of the character of the area.
28. As such, given the size of the proposed annexe and its occupation, connection and dependence on the main dwellinghouse, the principle of the proposed use is considered acceptable and in accordance with policies DM1, DM26 and BU7; in that it does not create a separate dwellinghouse and the residential extension is not disproportionate in size to the host dwelling, neighbouring dwellings or its plot.

Impact on residential amenity:

29. The development is considered to accord with the guidance set out in the 'Quality Places' SPD in relation to neighbouring residential amenity. The annexe is set within the garden away from other residential properties and any extended period of lighting or noise from its proposed ancillary domestic use is not likely to result in unacceptable increased disturbance. Impacts on light and outlook are also unlikely given that the external dimensions of the existing outbuilding would not be altered.
30. Relating to privacy, no windows directly facing neighbouring properties are proposed and as the annexe is single storey, only ground floor windows are included in the proposals. Any overlooking to adjacent neighbours would be adequately screened by boundary fencing and seasonally by hedges. The annexe is also approximately 30m from the nearest neighbouring dwellinghouse. A sufficient degree of privacy would be achieved for the neighbouring dwellings.

Impact on the Designated Sites of Importance for Biodiversity:

31. In the recent appeal decision relating to this development, the inspector raised impacts on international and nationally designated sites of importance for biodiversity as a main issue in its assessment. The application site is in close proximity to the Solent and Southampton Water SPA, the Solent Maritime SAC, Solent and Southampton Water Ramsar, and the Lincegrove and

Hackett's Marshes SSSI. The Chichester and Langstone Harbours SPA, the Portsmouth Harbour SPA and Ramsar Site and the Solent and Dorset Coast SPA are all nearby. It also sits within the 13.8km zone of influence for The New Forest SPA, SAC and Ramsar sites.

32. The appeal decision outlined that the additional bathing facilities within the annexe would likely result in increased nitrates leaving the site. As the EBC Nutrient Charging Policy is not prescriptive in defining which forms of development are exempt from, or require mitigation for, increased nutrient outputs, the inspector ruled that there was a lack of evidence demonstrating that the development would not have a likely significant effect on the water quality of nearby protected European Sites. This formed the sole reason for refusal in the appeal. Natural England were not consulted within the appeal process.
33. As statutory consultee on these matters, the position of Natural England has been sought in the assessment of this application. Their position is that nutrient neutrality mitigation would not be required for annexe accommodation, as it would not result in a net increase in the number of dwelling units within the site. Only if the annexe formed a separate residential planning unit would the requirement for nutrient mitigation be triggered. Acting as the Competent Authority for the purposes of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) (as amended), given that the annexe is deemed to form part and parcel of the existing dwelling, the recommendation is that there is no requirement for nutrient neutrality mitigation in this instance.
34. As outlined within the relevant strategies implemented by EBC and as agreed in the recent appeal decision, the development would also not require mitigation for recreational disturbance as the proposed annexe would not form a separate dwelling.

Other matters:

35. Policy DM14 of the Eastleigh Borough Local Plan (2016-2036) requires residential development to provide adequate off-highway parking. In line with the guidance of the Parking Standards SPD, the area to the front of Barn Court would provide the required 3no. parking spaces for a 4+ bed dwelling.
36. As a householder application, the proposal is not subject to biodiversity net gain requirements and given that no external alterations are proposed, it is not considered reasonable to impose conditions requiring further enhancements. The applicant has been encouraged through a note to applicant to consider voluntary enhancements in accordance with policy DM11 of the Local Plan.
37. Under the previous identical application for an identical proposal, the Council's Tree Officer raised no concerns, as the proposal does not include any additional external works. They are also satisfied that the relevant precautions appear to have been followed in relation to the construction of the outbuilding and surrounding mature vegetation.

Sustainability measures and Climate Change:

38. 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.
39. 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.
40. 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.

Equalities implications:

41. 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.
42. 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:

43. In conclusion, the proposed development represents a suitable ancillary residential use of an existing outbuilding, well-suited to its surroundings and

respectful of its position within a Conservation Area, a Special Policy Area and close to a Grade II listed building. This position is supported in the recent appeal decision relating to an identical proposal. The sole reason for refusal within that appeal related to a lack of nutrient mitigation and this is considered to have been addressed through further clarification with Natural England who advise that the proposal, being ancillary to the main residence, would not require nutrient mitigation. The recommendation is therefore to permit, subject to conditions.

