

DELEGATED OFFICER REPORT

Application Ref: X/25/100517

Site Address: 35 BRACKLEY AVENUE, FAIR OAK, EASTLEIGH, SO50 8FL

Case Officer: Dorothy Hei-Tung-Hoh

Description: Variation of Condition 1 (Approved Drawings) and Condition 3 (External Materials) of planning permission F/24/98018 (Amended description)

Particular Site Constraints?	Yes ☒	No ☐
• Within the Urban Edge • Within Built-up Area Boundary		

Planning History?	Yes ☒	No ☐
• F/24/98018 – Side extension to convert the existing garage into a double garage (Amended description) – Permit – 30/10/2024		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>First Consultation</u> Two letters of objection were received raising the following concerns: • The garage as built had not been rendered or painted to match the neighbouring garages in accordance with the approved scheme and Condition 3 of planning permission F/24/98018. • The unfinished blockwork appeared visually harmful and out of keeping with the surrounding garages. • Concerns were raised that part of the garage and associated walling extended onto neighbouring land. • Requests were made for the Council to enforce compliance with the original permission. <u>Re-consultation</u> Following submission of amended drawings and supporting information, one additional objection was received raising the following concerns: • The garage has not been constructed in accordance with the approved plans. • The garage roof height is excessive and harmful in appearance. • The replacement of part of the fence with a blockwork wall was not included within the original approval. • The garage is considered visually intrusive, unsightly and out of keeping with the surrounding area. • Concerns were raised regarding construction detailing between the garages. • Concerns were raised regarding the impact on residential amenity and the relationship with the neighbouring property.		
Parish Council:	No objection.		

Site Visit:	Yes ☒	No ☐
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Details: 4th February 2026.

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 and S2; and Development Management policies DM1.

Supplementary Planning Documents:

Quality Places; Character Area Appraisals for Bishopstoke, Fair Oak & Horton Heath (BIFOHH 17)

Assessment:

Site context and surroundings

The application site relates to a first-floor two-bedroom maisonette within a semi-detached residential building. To the rear of the site is an amenity area serving the semi-detached block, together with detached garages associated with Nos. 35 and 36 Brackley Avenue. Planning permission F/24/98018 previously granted consent for a side extension to enlarge the existing garage at No.35 into a double garage.

During the site visit, it was noted that part of the side boundary treatment adjacent to the garage has been replaced with a blockwork wall. A large metal shed is also positioned within the rear amenity area, resulting in a reduced amount of remaining usable garden space. The shed itself does not form part of the current application.

Proposal and Relevant Planning History

Planning permission F/24/98018 was granted on 30 October 2024 for a side extension to convert the garage into a double garage.

The approved development included conditions requiring the development to be carried out in accordance with approved drawings (Condition 1) and requiring materials to match the existing garage in type, colour, and texture (Condition 3).

The current application was originally submitted solely as an application to vary Condition 3 relating to external materials. However, following a site visit and review of the development as constructed, it became apparent that the development as built did not fully accord with the approved drawings under planning permission F/24/98018. As a result, the applicant was advised that the proposal could not be considered solely as a variation of materials and that the approved plans condition also required amendment in order to regularise the development as built.

The applicant subsequently submitted amended drawings and a revised planning statement seeking variation of both Condition 1 (approved drawings) and Condition 3 (external materials).

The revised submission confirms that the external blockwork walls would be painted in "Sandtex Mid Stone", together with revised roof profile and finish details.

In respect of the boundary wall, the Council's Enforcement Team separately investigated the works and concluded that the wall fell within permitted development under Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore did not require planning permission.

A further round of consultation was subsequently undertaken on the amended proposal.

Assessment

Principle of development

Planning permission has already been granted for the enlargement of the garage under planning permission F/24/98018. The principle of extending the garage has therefore already been established, and the current application seeks to regularise amendments to the approved drawings and external materials. Accordingly, the assessment focuses on whether the revised as-built form and materials result in any unacceptable impacts in planning terms.

In considering this Section 73 application, the Local Planning Authority must assess only the amendments sought under the varied conditions and whether those amendments would result in unacceptable planning impacts.

Layout, design, and impact upon the character of the area

The current as-built garage differs from the originally approved scheme in terms of the roof profile and external material finishes. The neighbouring occupier has raised concerns regarding the overall appearance, roof height, and visual prominence of the garage. These concerns are acknowledged and have been carefully considered during the assessment process.

The garage as currently constructed utilises white painted blockwork and metal cladding, which results in a more visually prominent appearance than the originally approved scheme. However, during the course of the application, the applicant amended the proposal and confirmed that the blockwork walls and associated wall sections would be finished in “Sandtex Mid Stone” masonry paint in order to better reflect the appearance of the neighbouring garage at No. 36.

It is considered that the revised muted colour and finish would significantly soften the visual appearance of the structure and improve its relationship with the surrounding garages, boundary treatments, and the host dwelling.

Whilst the boundary wall itself does not require planning permission and was separately confirmed by the Council’s Enforcement Team as permitted development, the proposed matching finish would assist in creating a more cohesive appearance between the garage and adjoining boundary treatment.

Overall, subject to the revised approved plans and materials, the proposal is not considered to result in visual harm to the character or appearance of the street scene to a degree that would warrant refusal.

The proposal is therefore considered to accord with Policy DM1 of the Eastleigh Borough Local Plan 2016–2036.

Impact on residential amenity

The neighbouring occupier has raised concerns regarding the height and appearance of the garage and its relationship with the adjoining property.

The garage has already been substantially constructed, and the current application does not seek any further increase in height or footprint beyond the existing as-built form currently on site.

Whilst the current as-built garage is larger and more visually prominent than the previously existing structure, it remains a single-storey outbuilding positioned within an area

historically containing garages. It is acknowledged that the current appearance and contrasting materials have contributed to its visual prominence, however the amended muted colour treatment is considered to reduce this impact.

Having regard to the siting, scale, and relationship with neighbouring properties, it is not considered that the development results in such an overbearing impact or loss of outlook as to warrant refusal.

Concerns relating to land ownership, boundary disputes, and construction practices are civil matters and are not material planning considerations.

The proposal is therefore considered acceptable in residential amenity terms having regard to Policy DM1 of the Eastleigh Borough Local Plan 2016–2036.

Other Matters

During the site visit, a large metal shed was noted within the rear amenity area. The shed does not form part of the current application and has therefore not been assessed as part of this decision. Any matters relating to the shed would need to be considered separately from the current application.

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:

The application originally sought variation of materials only, however during the course of the assessment it became apparent that the development as built also differed from the approved plans under planning permission F/24/98018. The application was subsequently amended to seek variation of both Condition 1 and Condition 3 and was subject to re-consultation accordingly.

Whilst concerns raised by neighbouring occupiers are acknowledged, the amended plans and revised material finishes are considered to satisfactorily regularise the development as built without resulting in unacceptable harm to the character of the area or neighbouring amenity.

The proposal is therefore considered to comply with Policy DM1 of the Eastleigh Borough Local Plan 2016–2036 and approval is recommended.

Recommendation:	PERMIT ☒	REFUSE ☐
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