

DELEGATED OFFICER REPORT

Application Ref: H/24/96688

Site Address: 9 YEW TREE CLOSE, FAIR OAK, EASTLEIGH, SO50 7GP

Case Officer: Dorothy Hei-Tung-Hoh

Description: Retrospective erection of aluminium framed car port.

Particular Site Constraints?	Yes ☒	No ☐
• Within Established Residential Area • Within Built-up Area Boundary		

Planning History?	Yes ☒	No ☐
• F/12/70554 - Single storey front porch, addition of front dormer window and addition of hipped roof to existing side dormers - Permit - 27/04/2012 • H/21/91577 - Replacement conservatory with single storey extension - Permit - 05/01/2022		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	Three letters of representations were received. Of these representations, one was a comment, one was in support, and one was an objection. The comment raised concerns regarding the potential implications of approving the application, specifically querying whether approval would set a precedent for all residents to construct carports. The supporting letter sought clarification on why planning permission was required for this particular carport. Lastly, the objection highlighted an unrelated issue concerning an oversized cabin in a neighbouring garden, which was considered outside the scope of the current application. The concerns raised in the comment will be addressed in the subsequent sections of this report.		
Parish Council:	No Objection		

Site Visit:	Yes ☒	No ☐
Details: 2 nd February		

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 and S2; and Development Management policies DM1, DM2, DM11 and DM14.
Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisal for Bishopstoke, Fair Oak and Horton Heath (BIFOHH 19)

Assessment:

The application property is a detached bungalow located in north Fair Oak. The immediate surrounding area comprises primarily of bungalows, all of which are set back from the road with low brick wall front boundaries. The current application seeks retrospective consent for the retention of a carport. Positioned in front of the host dwelling, the carport occupies a section of the existing parking area, providing cover for a single vehicle. The dimensions of the carport measure approximately 5.1m in length, 2.5m in width, and reach a height of 2.2m at its highest point. The structure is constructed from aluminium with a polycarbonate roof. Given that the carport is situated in front of the main building, planning permission is required.

Principle

- The application site lies within an established residential area where the basic principle of development is acceptable, with any formal approval being based upon the exact nature, design, and impact of that proposed being considered acceptable and in accordance with the relevant policies within the adopted local plan and supplementary planning guidance.
- The site is also part of the character area of Bishopstoke, Fair Oak and Horton Heath (BIFOHH 19) which provides the following guidance on developments and that they should ensure that:
 - i) Retain the wide grass verges and associated semi-mature broadleaved tree planting.
 - ii) Maintain the predominant plot widths and continuity in building line.
 - iii) Maintain a uniformity in building heights within each street.

Character and Design

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible in terms of mass, scale, layout density, design, and siting.

The application property is part of a row of bungalows that exhibit a degree of uniformity in terms of their front boundary treatment and their relationship to the road. The driveways, front gardens and front elevations of each building are broadly visible from the public domain.

The positioning of the carport in front of the host property is clearly evident from the street scene. Despite not directly abutting the road, its size and placement render it a prominent and visually disruptive structure. The carport is considered as being out of keeping with, and disrupting the established spatial arrangement, thereby diminishing the spacious character of the area. In principle, adding a sizeable structure at the front garden in this location is not considered acceptable. This impact adversely affects the relationship between residences and adjoining spaces.

Despite the use of lightweight materials, which may contribute to a less obtrusive appearance, the carport remains visually incongruous within its immediate surroundings. Particularly, there is a lack of similar carport structures within the vicinity, suggesting that the proposal could set a potential precedent for further development and lead to an increase in incongruous features within the neighbourhood.

While the applicant has expressed intentions to mitigate the visual impact of the carport through landscaping measures, such as the growth of additional plants or the re-

establishment of high bushes around the front boundary, it is considered insufficient to fully mitigate the adverse visual impact of the carport and its fundamental issue.

Paragraph 139 of the NPPF states 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance documents. To conclude, the carport, due to its size, and prominent sitting, is considered to be an incongruous and discordant addition within the street scene, detracting from the character and appearance of the area, thus warranting refusal.

Impact on Residential Amenity

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

It was observed during the site visit that the carport does not create any harmful impacts such as loss of light and overshadowing on neighbouring properties. However, it is important to highlight that its prominent location compromises visual convenience, although this is primarily due to design consideration.

Additionally, it is acknowledged that the adjacent neighbours have not raised any specific objections to the proposal. However, this factor does not outweigh the identified harms mentioned above.

Trees and landscaping

The site does not contain any trees offered protection by a tree preservation order. Furthermore, the proposal has been deemed not to be in conflict with any trees or landscape features of particular amenity to the area.

Highways and Parking

Policy DM14 of the Eastleigh Borough Local Plan (2016-2036) requires residential development to provide off-highway parking which is adequate in terms of highway safety/traffic management.

The application relates to the retention of a carport. The proposal does not impact upon the current parking provisions, it solely provides a cover above the existing parking area, and therefore does not have an adverse impact in this regard.

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, 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:

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:

Reason for Refusal

The carport, due to its size, and prominent sitting, is considered to be an incongruous and discordant addition within the street scene, detracting from the character and appearance of the area. The proposal is therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2023).

Recommendation:	PERMIT ☐	REFUSE ☒
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