

Application Number: H/24/96802
Case Officer: Claire Campbell-Best
Received Date: 31 January 2024
Site Address: NETLEY GREEN COTTAGE, LOWFORD HILL,
BURSLEDON, SOUTHAMPTON, SO31 8ER
Applicant: Mr Adam Tabrett
Proposal: Erection of outbuilding comprising of a garage, workshop
and home office in rear garden (Resubmission application).

Recommendation: PERMIT subject to conditions

CONDITIONS AND REASONS:

1. The development hereby permitted shall be implemented in accordance with the following plan:

Location, Site, Floor and Elevations Plan – 23-32-01 Rev E

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

2. The development hereby permitted shall start no later than three years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. Notwithstanding the approved plans, no development shall start until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

4. The development hereby permitted shall only be used in conjunction with the existing dwelling and shall not, any time, be used for business, commercial or industrial purposes or as an independent residential unit.

Reason: To protect the amenity of the adjoining residential properties.

5. No development shall commence until measures for the protection of the public sewers have been submitted to and approved in writing by

the Local Planning Authority, in consultation with Southern Water. The development shall then be carried out in accordance with the approved details.

Reason: To ensure adequate protection of public water apparatus, in accordance with Policy DM6 of the Eastleigh Borough Local Plan (2016-2036).

Note to Applicant: The applicant is advised to contact Building Control with regards to the adequacy of the soakaways to dispose of surface water from the proposed development.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (December 2023), 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 Councillor Craig, Councillor Holes, Councillor O'Sullivan and Councillor Cross

Site Characteristics and Character of the Locality

2. The application site comprises an Edwardian two storey semi-detached dwelling on the southern side of Lowford Hill, a cul-de-sac accessed from Portsmouth Road. The site itself comprises a long plot with private amenity space to the rear which is enclosed with a combination of fencing and mature hedgerows. The site ground levels increase slightly from the rear of the property and east to west. There is on-site parking in the form of a driveway to the front of the site and down the eastern side of the property which leads to timber vehicular gates providing access to the rear garden.
3. The site falls within an established residential area with this part of Lowford Hill consisting of a mixture of detached and semi-detached properties of differing designs and periods. A number of dwellings within the local vicinity have outbuildings of varying sizes within their rear gardens.

Description of Application

4. This application seeks permission for the erection of a detached outbuilding which would be located in the middle of the rear garden of the site. The siting of the outbuilding is due to the constraints within the site, this being public sewers that are positioned close to the eastern and southern boundaries. The outbuilding would comprise of a garage,

workshop and home office and would be for the private, personal use of the applicant.

5. The outbuilding proposes a flat roof and would measure approximately 3m in height, 14m in length and 6m in width resulting in a footprint of 83sqm. The garage/workshop would be to the front (north) of the outbuilding, the home office would be at the rear (south). There would be a roller shutter garage door to the north elevation, 3no windows and 2no. doors to the east elevation and 1no. window to the south elevation. The proposed garage/workshop and home office would be internally linked via a door.
6. To take account of the differing ground levels, the floor level of the outbuilding will be set at the lower ground level to enable vehicular access from the front. To accommodate this, there would be some low level excavation and a small retaining structure to the rear of the outbuilding as detailed in the Planning Statement submitted with this application. The outbuilding would be finished in a fibre cement weatherboard cladding in a green colour.
7. A Planning Statement accompanies the application. The Planning Statement and plans can be viewed electronically [here](#).

Relevant Planning History

8. H/23/96411 – Erection of outbuilding comprising of a garage, workshop and home office in rear garden – Withdrawn 11/12/2023.

Representations Received

9. The application has received two letters of support from the adjoining neighbours, The Gables and Laurel Cottage. Both neighbours state they have no objections to the proposal.

Consultation Responses

10. Bursledon Parish Council: No Objection.

Bursledon Parish Councillors had no objection to this planning application however there were concerns over the scale of the proposed building exceeding the size of the original property and asked that conditions of no subdivision and restrictions to the type of use prohibiting accommodation be attached.

11. Southern Gas Networks: No Objection.

No pipes appear within the immediate vicinity of the proposed development.

12. Southern Water Services: No objection, subject to condition:

The submitted site plan (Drawing no. 23-32-01 Rev E) indicates the proposed soakaway close to the public foul sewer.

Please note no soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5m of public or adoptable gravity sewers.

In order to protect public sewers, Southern Water requests a condition to agree protection measures prior to commencement of development.

Surface Water Drainage

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

Policy Context and Designations Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area

Development Plan Local Plan Policies

Eastleigh Borough Local Plan 2016-2036

13. The Eastleigh Borough Local Plan 2016-2036 has full weight. The most relevant policies are:

Strategic policies

- S1 (Delivering sustainable development);
- S2 (Approach to new development);

Development Management Policies

- DM1 (General criteria for new development);
- DM2 (Environmentally Sustainable Development);
- DM6 (Sustainable water management);
- DM11 (Nature Conservation);
- DM14 (Car Parking).

Supplementary Planning Documents

- Quality Places (November 2011);
 - Residential Parking Standards (January 2009);
 - Character Area Appraisals for Bursledon, Hamble-le-Rice and Hound (January 2008)
- Planning Obligations (July 2008, updated 2010).

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 unless material considerations indicate otherwise.

National 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.

Policy and Principle:

16. The proposals are acceptable in principle in accordance with Policies S1 and DM1 of the Local Plan. The main considerations relate to the design, appearance and impact on residential amenity, as addressed within this report.

Previous Planning Application

17. A previous planning application (H/23/96411) was submitted in November 2023 for an outbuilding with similar dimensions aside from a slightly lower height of 2.7m. Due to the proposal almost complying with permitted development dimensions, the applicant agreed to lower the proposed height to 2.5m and construct the outbuilding in accordance with Class E of the General Permitted Development Order (England) (2015) and formally withdrew the planning application.
18. The current planning application under consideration (H/24/96802) proposes an increased height of 3m which requires formal planning permission. The increased height of the outbuilding is due to the requirement for a roller shutter door which would provide enhanced security when compared to a more standard garage door and the application was resubmitted at the request of the applicant.

Layout, Design and Impact upon the Character of the Area

19. 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.

20. The proposed outbuilding while fairly substantial in size, is considered to be acceptable in terms of its scale, height, form and design in the context of the site plot.
21. It is acknowledged that the siting of the outbuilding (owed to the site constraints) is not a typical arrangement. The outbuilding would be set in from the western boundary shared with Laurel Cottage by 1.0m and set in from the eastern boundary shared with The Gables by a maximum of 3.8m and a minimum 2.5m as the plot tapers to the rear. There would be 9m separation distance between the rear of the outbuilding and the southern boundary shared with 13 and 14 Ravenscroft Close. There would also be a separation distance of 8m from the rear of the host dwelling and a minimum of 7.3m from the rear of Laurel Cottage.
22. While the outbuilding is large in length, the flat roof and siting of the outbuilding away from neighbouring boundaries would help to reduce any perceived overbearing impact to the adjacent residents. Additionally, it should be noted that an outbuilding with the same footprint at a slightly lower height could be constructed in this location through the utilisation of permitted development rights, without the need for formal planning consent and this is a material consideration in the assessment of this application.
23. As the outbuilding would be located in the rear garden of the site, it would not be visible within the public domain; the boundary treatment and the surrounding neighbouring dwellings would effectively screen views of the structure from Lowford Hill. As such, the impact to the street scene would be minimal.
24. The garage/workshop element would be located to the front of the outbuilding which would enable vehicular access from the driveway to the front / side of the site. To the rear would be a home office which would be accessed via an external door and footpath and internally via the garage.
25. The proposal would not result in an overdevelopment of the site; due to the large plot, sufficient amenity space would remain with the outbuilding in place and complies with the amenity space guidance set out in the 'Quality Places' SPD.
26. The external finishes to the outbuilding would comprise of weatherboard cladding in a green colour. This material is generally associated with outbuildings and the proposed colour is subtle and considered to blend in within the surrounding area without being unduly prominent within the locality nor harmful to the character of the host dwelling.
27. It was noted during the site visit there are large outbuildings in the rear gardens to the nearby neighbouring properties (namely Laurel Cottage

and Oakleigh Lodge). Therefore, the proposed outbuilding is considered to be in-keeping within the surrounding area.

28. Overall and to conclude, while it is acknowledged the proposed outbuilding is large in size, when considering the abovementioned factors and the material consideration relating to permitted development, the outbuilding in terms of its scale and design is considered acceptable.

Residential Amenity

29. Policy DM1 of the Eastleigh Borough Council 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.
30. The neighbours most impacted as a result of the proposal would be the adjoining neighbours Laurel Cottage to the west, The Gables to the east and 13 Ravenscroft Close to the south. The proposed outbuilding would be visible from the rear gardens of Laurel Cottage and The Gables.
31. The outbuilding would be positioned 1.0m from the boundary shared with Laurel Cottage. Along this boundary a 2m high timber fence (replacing the existing hedge) is proposed which would screen the majority of the structure from the occupants of this neighbouring property.
32. Due to the orientation of the rear gardens and the positioning of the outbuilding, there is the potential for loss of daylight received to the garden of Laurel Cottage. A site visit was undertaken to this neighbour and it was noted the garden is undergoing renovation and landscaping works. The neighbour confirmed there will be a patio area leading off from the rear of the house and this will be the main space used within the garden. Whilst there would be some loss of light to this garden from the proposed outbuilding, the impact would only be at certain times of the day and would not affect the whole garden. The impact would also be reduced during summer months due to the low height of the outbuilding. As such, the proposed outbuilding is not considered to have an overbearing impact upon the private amenity space to Laurel Cottage nor impact the amount light received to the neighbouring garden to an unacceptable degree to cause detrimental harm.
33. The proposed outbuilding would have a maximum separation distance of 3.8m and a minimum separation distance of 2.5m from the boundary shared with The Gables due to the plot tapering towards the rear of the site. There would be 3no. windows to the eastern elevation that would face this boundary but there is a 2m high hedgerow and a shed within the garden to The Gables which

would adequately screen views from these windows. As such, due to the separation distance and existing boundary treatment it is considered the proposed outbuilding would not have an adverse impact upon the amenities of this neighbour.

34. There would be a 9m separation distance between the proposed outbuilding and southern boundary shared with 13 Ravenscroft Close. The outbuilding proposes a window to the southern elevation; however, it was noted on the site visit there are extensive high, dense hedgerows along this boundary and the proposed outbuilding and window would not be visible to no. 13. As such, there are no overbearing or overlooking concerns with regards to this neighbour.
35. Bursledon Parish Council have raised concerns that the outbuilding could potentially be used as a separate unit of accommodation. In order to alleviate those concerns, a condition will be applied to ensure the outbuilding cannot be used for business, commercial or industrial purposes or as an independent residential unit in order to protect the amenity of the adjoining residential properties.
36. Overall and to conclude, the proposed outbuilding is not considered to adversely impact the nearby neighbouring properties in terms of loss of privacy, light or outlook. Therefore, the development accords with the guidance set out in the 'Quality Places' SPD.

Access, Parking and Transport Matters

37. 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.
38. The proposal would result in an additional off-street parking space. The site can already accommodate the required off-street parking to the front driveway. As such there are no parking concerns.
39. The outbuilding as noted would be sited approximately 8m beyond the rear elevation of the host dwelling. This would allow adequate space for vehicles to manoeuvre to access the outbuilding. As such there are no access concerns.

Drainage and Public Foul Sewers

40. Policy DM6 of the Eastleigh Borough Local Plan (2016-2036) stipulates that new development must provide sustainable drainage systems (SuDs) wherever feasible, naturalised filtration should also be included.
41. The submitted site layout plan indicates there would be a proposed soakaway to the rear of the outbuilding.

42. Southern Water Services were consulted upon due to the outbuilding being in close proximity to public foul sewers. A pre-commencement condition is recommended whereby details of the measures to be undertaken to protect public sewers would be submitted and approved by the Local Planning Authority and in consultation with Southern Water. The applicant has agreed to this condition.
43. Southern Water has advised that the soakaway would not be acceptable due to the proximity to the public sewer and have recommended that the applicant discusses this matter with Building Control. This will be recommended as a note to the applicant.

Sustainability Measures and Climate Change:

44. 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.
45. 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.
46. 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. The proposal would be constructed to modern standards the proposal is considered to accord with climate change policy objectives.

Equalities Implications:

47. 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:

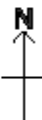
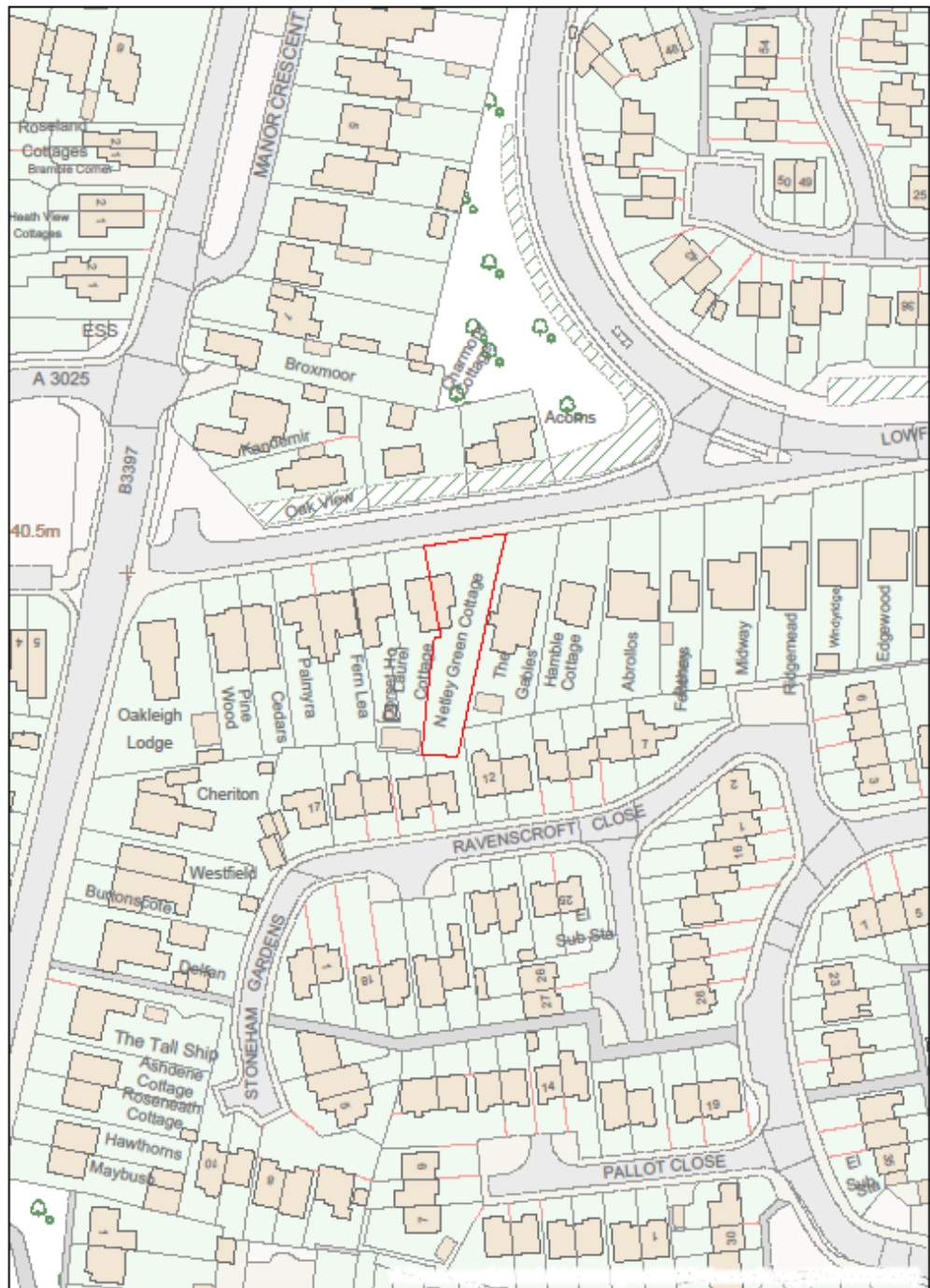
- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

48. 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

49. In conclusion, the proposed outbuilding is considered to be acceptable in terms of design, scale and location in relation to its context. It would not adversely affect the appearance of the street scene. In addition to this, the proposal would not have an unacceptable impact upon the amenity of the neighbouring residents or impact on public sewers (subject to condition). For these reasons, the proposal would accord with relevant policies of the Eastleigh Borough Local Plan (2016-2036), guidance contained in the Council's adopted SPDs and the National Planning Policy Framework. The proposal is therefore recommended for approval.

H/24/96802



Address: Netley Green Cottage, Lowford Hill
Bursledon, SO31 8ER

Date: 27/02/2024 Scale: 1:1250