

DELEGATED OFFICER REPORT

Application Ref: F/23/96534

Site Address: ALLINGTON MANOR, ALLINGTON LANE, WEST END,
SOUTHAMPTON, SO50 7DE

Case Officer: Rachael Morris

Description: Conversion of existing outbuilding to 1.no 1-bedroom dwelling and
erection of associated detached garage

Particular Site Constraints?	Yes ☒	No ☐
• Countryside • New Forest SAC 13.8km		

Planning History?	Yes ☒	No ☐
• Z/17210/000/00 - Alterations etc – Permit – Aug 1976 • Z/17210/005/00 - erection of 3 single storey classrooms – Refuse – Aug 1979 • Z/17210/012/00 - change of use from residential school to Rest/Nursing Home – Permit – Jul 1981 • Z/17210/016/00 - Two Storey Side Extension to Residential School – Permit – May 1986 • Z/33702/000/00 - Construction of Detached Garage – Permit – Aug 1995		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None		
Parish Council:	No Comment		
Ecology:	<u>28/2/2024</u> I have reviewed the site photos. There are no potential bat roost features. A precautionary working method for great crested newts will be required. They are not likely to be using any areas with gravel or paving but the garden to the front of the existing studio must remain undisturbed. If this is not possible then it must be checked by a suitably qualified ecologist prior to disturbance. Site operatives must be briefed on the identification and ecology of great crested newts. In the very unlikely event that any great crested newts are found on site, all work must stop, and ecological advice must be obtained. The existing hedgerow must be protected from disturbance during construction. Any new closed board fencing must have at least two openings on each side (13 x 13 cm minimum) to allow free passage of small animals through the gardens. <u>19/2/2024</u> This site is within a red impact risk zone for great crested newts and there are ponds and records of great crested newts in this area. Allington Lane Pond SINC is located to the south. There are also records of bats nearby. Photos are required to show the existing outbuilding and all areas of the property which would be affected by the construction and occupation of these proposed buildings. In addition to any precautions/mitigation for great crested newts (to be determined), biodiversity enhancements and surface water drainage information will be required. A bat brick and a swift brick may be appropriate for this building along with enhancing the garden for pollinators.		
Planning Policy:	The Eastleigh Borough Local Plan 2016-2036 was adopted in April 2022. This document now forms the planning policy framework for the borough until 2036. Allington Manor is outside the urban edge and identified as countryside on the adopted Local Plan Policies Map. The application		

	is for the conversion of an outbuilding to a dwelling and the construction of a garage behind the property. Policy S5, 'New development in the countryside' states that limited residential conversions are permitted in accordance with policy DM19 'Change of use of buildings in the countryside'. This relates to the change of use of existing buildings that are demonstrably unsuitable for continued use for their existing purpose. These will be permitted subject to meeting the general policies in the Local Plan and providing development meets further criteria. For all proposals, these criteria include not having an urbanising effect and that access, parking and services can be provided without a detrimental impact on the character of countryside. Residential developments are only permitted in accordance with further criteria which include achieving amenity, environmental or traffic benefits. The proposal does not demonstrate that the outbuilding is demonstrably unsuitable to continue in its current use and is therefore not in accordance with Local Plan policy. However, providing the new garage does not have a detrimental impact on the area's character, it meets the criteria as set out in policy DM19 and provides an amenity benefit. Planning policy would not raise an objection.
Natural England:	No response received.

Site Visit:	Yes ☒	No ☐
Details: 01/03/2024		

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, S2 and S5; and Development Management policies DM1, DM2, DM11, DM14, DM19 and DM26. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
The development has been assessed against policies DM1, DM2, DM11, DM14, DM19 and DM26 from the 2016-2036 local plan, in that: <u>Site and surroundings</u> - Allington Lane is a linking road between the northern edge of Southampton and Fair Oak. It has some sporadic development along its length. - The site is characterised by open fields opposite and mature tree lines to the frontage of the site which creates a verdant nature. There are no footpaths along this part of the road and the group of properties already sited here appear visually and physically isolated from the other areas of development along Allington Lane. <u>Countryside policy</u> - Development is expected to meet the policies within the local plan, most notably policy DM1 which sets out the general criteria for new development. However, as the site lies within the countryside, policy DM19 and strategic policy S5 are also important.

- Strategic policy S5 states that planning permission will only be granted for new development in the countryside provided it is related to residential extensions and replacement buildings (policy DM26), limited residential conversions (policy DM19). In permitting new development in the countryside the Borough Council will seek to: avoid adverse impacts on the rural, woodland, riparian or coastal character, the intrinsic character of the landscape including the avoidance of adverse landscape impacts on areas adjoining national parks and their settings, the significance of heritage assets and on the biodiversity of the area.
- Policy DM19 states that the change of use of existing buildings in the countryside that are demonstrably unsuitable for continued use for their existing purpose will be permitted subject to the general development criteria and transport policies of the Local Plan and provided that: the proposed use is compatible with neighbouring uses and does not have an urbanising effect on the countryside in terms of external layout, lighting, noise or traffic; ...; the building is of permanent construction and can be re-used without works detrimental to its character or that of its surroundings; access, car parking and services can be provided without having a detrimental impact on the character of the countryside; and the property is sustainably located in terms of accessibility by modes of transport other than the private car. Change of use to residential, where this is not permitted development, will only be permitted if: the building is demonstrably unsuitable for other uses allowed under this policy; ... it would achieve amenity, environmental or traffic benefits.

Impact on the countryside

- The proposal is subject to a conversion/change of use to form a separate unit of residential accommodation within the countryside where policy DM19 would apply. As stated by the planning policy team, the submission does not demonstrate that the outbuilding is demonstrably unsuitable to continue in its current use (as an ancillary building to the main dwelling) and would lead to an additional dwelling in the countryside where there is a general presumption against new residential development. It is therefore not in accordance with Local Plan policy. It also fails to meet the overall criteria as set out in policy DM19 in that it would not achieve amenity, environmental or traffic benefits to the wider countryside location.
- The proposed change of use would create an unacceptably urbanising impact to the countryside location in which there is no overriding planning justification present as to why a departure from local planning policy would be appropriate.

Design and layout

- The proposed dwelling would follow the same built form of an existing outbuilding except for a conservatory extension. While this does not result in a disproportionate sized dwelling, the increased built form would result in an urbanising impact in this countryside location through its resulting use and associated infrastructure.
- The proposed dwelling would be poorly accessible other than using private car. This reinforces that the site is not suitable for further residential units and is in an unsustainable location within the countryside.

Residential amenity

- Policy DM1 of the Eastleigh Borough 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.
- To ensure adequate internal living standards are met the Local Planning Authority assess the measurements of space against the 'Nationally Described Space Standards' (NDSS). Policy DM30 of the Local Plan requires that all new dwellings meet the NDSS as a minimum.
- The application proposes a single-storey 1no. bedroom dwelling (double-beds). Therefore, the NDSS requirement for 2-people is 50 sqm. From the plans

submitted, the proposed dwelling accords with national and local policy with the internal floor space measuring approx. 88 sqm. In addition, the double bedrooms meet the required 11.5sqm.

- Policy DM29 requires dwellings to be built to higher access standards. However, in this case, as this is a conversion, it is not considered practical to enforce this condition requiring Part M4(2) compliance.
- In addition, and as set out within the Council's Quality Places Supplementary Planning Document (SPD), the garden size for new residential development must be at least 60% of the floor space of the host dwellinghouse. From the submitted plans, when assessing the available space around the dwelling which is to all be fenced, the proposed outdoor private amenity space is over 60%; therefore, is sufficient and accords with council guidance.
- There is an existing outbuilding outside of the red line not included in this application that would block outlook to the windows on the closest West side elevation. However, the windows would serve a bathroom and WC, of which are not habitable rooms, so would not create an unacceptable living standard for the dwelling.

Neighbouring amenity

- The proposed distance between the rear of the existing dwelling and the front of the proposed dwelling is approx. 16m to the closest window. As this does not propose a rear-to-rear design, a 16m distance is appropriate. Moreover, the proposed dwelling in question is single storey which reduces the potential for unacceptable overlooking.
- In terms of residential amenity, the proposed development is not considered to adversely harm existing or future residents through adverse overlooking, loss of sunlight/daylight or loss of outlook and is therefore in accordance with policy DM1 and the Council's Quality Places SPD.

Parking and access

- The proposed dwelling would be accessed by an existing access point from Allington Lane which serves existing properties. It is not anticipated that one additional dwelling would create high volumes of additional traffic. Therefore, it is not considered that an additional dwelling would cause a highway safety concern.
- The proposal provides appropriate on-site parking for the proposed dwelling. As per the Residential Parking Standards SPD, a 1.no bedroom dwelling requires 2.no off-highway parking spaces. This is provided in the garage and to the driveway. The garage is adequately sized (6.1m X 4m) to provide a parking space.

SPA Mitigations

- The Council, as the responsible body for Habitats Regulations Assessment (HRA), must ensure as part of a planning application that a development will not have an adverse impact upon any European protected sites, and specifically in this case, the European protected Solent Complex (SPA, SAC and Ramsar sites), River Itchen (SAC) and New Forest National Park (SPA, SAC and Ramsar sites). It is recognised that the addition of residential development would have an adverse impact upon the surrounding designated European protected sites.
- Due to the nature of the proposals, a HRA was undertaken and submitted to Natural England for their review in mid-February 2024, but no response has been received.
- In terms of water quality, Natural England have advised that new housing development should achieve nutrient neutrality in order to mitigate the impacts of additional nitrogen arising from the sewage generated by the future residents. This wastewater then feeds into the Solent Complex via Waste Water Treatment Works, which discharges into the river network and so causes eutrophication affecting the features for which it is designated. The Council has adopted its own strategy for

achieving nutrient neutrality whereby it identifies areas of agricultural land and remove these from a nitrate intensive use, thus reducing the nitrogen input into the protected sites, with the level of reduction then being used as a means of offsetting the impacts of development proposals within the Borough. This ensures no overall net increase in nitrates within the Solent and thereby allow a development to achieve nutrient neutrality. In order to do this, the Council calculates the level of nitrate mitigation this land provides (measured in kg) and makes 'nitrate credits' available to developers to buy, with funding being secured during the planning application.

- In addition to the above, Natural England have also highlighted that residential development within a certain catchment of the River Itchen (SAC) can result in phosphate loading resulting from additional sewage generated from future residents. The Council also has 'phosphate credits' available to offset this impact.
- Necessary mitigation for nitrates and phosphates will be secured via condition.
- Furthermore, Natural England has also raised concern with regard to additional residential development within 13.8km radius of the New Forest. This is considered to have an adverse impact upon the New Forest by way of additional trips resulting in further recreational disturbance. There is a monetary mitigation of £2,220 per residential unit to offset the impact upon the New Forest National Park.
- Necessary mitigation for nitrates, phosphates and recreational disturbance towards the New Forest would have been requested in the event that this proposal was recommended for permission.

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:

Recommendation:

PERMIT ☐

REFUSE ☒

- The proposed dwelling would represent an unsuitable new dwelling located in an area of countryside for which there is no overriding planning justification. As such the proposal is contrary to policies S5 and DM19 of the Eastleigh Borough Local Plan [2016-2036].
- The application fails to provide the required mitigation to offset the impacts of the development upon the European protected Solent Complex (SPA, SAC and Ramsar sites) and New Forest National Park (SPA, SAC and Ramsar sites) from additional recreational pressure by the population increase resulting from the development. The proposal is therefore contrary to the requirements of Policy DM11 of the Eastleigh Borough Local Plan [2016-2036], the provisions of the NPPF [2023] and the Conservation of Habitats and Species Regulations 2017.
- Insufficient information has been provided to demonstrate a Biodiversity Net Gain and as such is contrary to Policy DM11 of the Eastleigh Borough Local Plan [2016-2036].