

DELEGATED OFFICER REPORT

Application Ref: H/24/96963

Site Address: ROSEWOOD, BROOK LANE, BOTLEY, SOUTHAMPTON, SO30 2ER

Case Officer: Claire Campbell-Best

Description: Replacement garage with home office in roof space

Particular Site Constraints	Yes ☒	No ☐
Within Designated Countryside Within the Settlement Gap TPO (to the south – 345-E) River, SAC, SPA & Ramsar Solent Protection Zone Airport Safeguarding Zone		

Planning History	Yes ☒	No ☐
Reference	Description	Decision
H/22/93216	Two storey side extension (amended scheme Z/37380/001/00)	Permitted – October 2022 Not implemented
F/11/69816	Single storey front extension and addition of front porch	Permitted – December 2011
Z/37380/001/00	Two storey side extension incorporating double garage and single storey rear extension of existing detached single garage, single storey rear extension and small two storey side extension	Permitted – January 2003 Not implemented

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None received		
Botley Parish Council:	No comments or objections		
Trees:	<u>Arboricultural Documents</u> Arboricultural report reference 10750 Tree protection plan reference 10750-D-AIA <u>Comments</u> We raise no arboricultural objection to the proposal, subject to the following condition: The development must accord with the arboricultural report reference 10750. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the tree protection plan reference 10750- D-AIA. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area. Tree protection measures shall be retained in their approved form for the duration of the work and may only be modified subject to written agreement from the LPA. Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.		
Ecology	<u>Objection</u>		

This site is in a red impact risk zone for great crested newts with 3 ponds within 500 m of the property. Gould Copse Site of Importance for Nature Conservation (1A/1B SINC) is adjacent to the southern boundary. There are records of badgers, bats, grass snakes, common toads, stag beetles near this site.

I have reviewed the Ecological appraisal & bat surveys report by LC Ecological Services Ltd (September 2022). This report was commissioned for a previous application for both the house and the garage and submitted with H/22/93216, which was permitted for an extension to the main house. At that time the garage was assessed to have low potential for roosting bats due to some access and potential roost features. One emergence survey was done in August 2022, 19 months ago.

The ornamental planting beds around the site have been assessed as having potential to support foraging badgers, when flowering they could also attract insects which would support foraging bats and four species of bats were recorded foraging during the Phase 2 emergence survey.

I object to this proposal. A two-storey garage in this area would impact the trees and hedgerow much more than the existing single storey garage. A home office is proposed in the roof space, however from the elevation drawings, the proposed replacement garage would be much taller than the existing structure and have a much greater impact on the vegetation along the site boundary. Because it is larger, it would also be located closer to the SINC boundary than the original building. The proposed roof windows would allow light to shine up onto the trees, which would have a negative affect commuting and foraging bats.

Should you be minded to permit a two-storey garage in this location, the following information must be considered:

From the description of the existing garage and site photos from the previous application, I don't think an additional survey will be required at this point. Although the report does not have an explicit expiry date, if conditions change or if demolition of the garage is delayed past August 2024, then an update walkover survey will be required to be submitted to the LPA. This must be done by a suitably qualified ecologist before the garage can be demolished.

In the unlikely event of any bats being found during demolition or construction, all work must stop immediately, and Natural England must be called. Additional information is available on the Bat Conservation Trust website at <https://www.bats.org.uk/advice/im-working-on-a-building-with-bats/ive-found-a-bat-during-works>.

A check for nesting birds must be made in the hedgerow, existing shrubs and existing trees (T001, H002, T004, T003, T002, and A001 before the start of demolition. If evidence of an active bird's nest is found, either in the garage or in any vegetation within 10 m of the proposed building, all work must stop and a 5m buffer must be erected around the nest to protect it from disturbance until after the chicks have fledged and left the nest.

Replacements for trees T001 and T004 will be required. Flowering native species which attract pollinating insects would be beneficial as replacement trees.

	The report recommended a root protection zone for the trees along the boundary with Gould Copse SINC and a construction method statement (CMS/CEMP). In addition to the information recommended in section 5.12, 5.22, the CEMP should also include a statement that any piles of soil or materials will be kept covered at night and stored on hard standing to prevent animals from sheltering in these piles. Any chemicals must be stored securely so they cannot be accessed by wildlife. If required at night temporary lighting during the construction phase must be limited and not be allowed to shine on the SINC boundary. New exterior lighting should be avoided, but if necessary for security purposes, then the latest updated lighting guidance note (GN08/23) should be followed. This is available at Guidance Note 8 Bats and Artificial Lighting Institution of Lighting Professionals (theilp.org.uk). The ecological enhancements recommended in the report were all proposed for the main house, so for this application, biodiversity enhancements will be required for the replacement garage building. These enhancements can be conditioned and could be similar to the enhancements recommended in the report, with locations on the proposed garage to be shown on a plan.
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Site Visit:	Yes ☒	No ☐
Details: 11 th March 2024		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: <u>Eastleigh Borough Local Plan 2016-2036</u> Policies: S1 (Delivering sustainable development), S5 (Development in the countryside), S6 (Protection of settlement gaps), DM1 (General development), DM11 (Nature Conservation), DM14 (Parking), and DM26 (Residential extensions and replacement dwellings in the countryside). Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
<u>Site and Surroundings</u> The application site comprises a detached two-storey dwelling, located to the west of Brook Lane. The dwellinghouse itself is finished in facing red brick work, white upvc fenestration, and tiled roof. The dwelling benefits from a detached garage to the south and driveway to the east. Whilst to the north and south of the application site are neighbouring residential dwellings, the wider surroundings are identified as designated countryside and a settlement gap. To the east of Brook Lane and the application site are open green fields. The surrounding dwellinghouses all vary in terms of their appearance, thus having little uniformity. <u>Proposal</u>

The application seeks approval for a replacement detached double garage with a home office in the roof space. This would replace the existing smaller single detached garage and would be sited in a similar location along the southeastern boundary.

The proposed garage would have a pitched roof and would measure approximately 7m in width and 8.4m in depth with a maximum height of 5.7m (2.4m to eaves) and would be finished in materials that would match the host dwelling.

The development proposes an up and over garage door with 2no. doors and 1no. window to the side (northwestern) elevation. The home office in the roof space would be accessed by an external staircase and door located on the rear (southwestern) elevation. The home office would be served by 4no. rooflights and 1no. window within the front gable.

Principle

Policy S5 of the Eastleigh Borough Local Plan (2016-2036) sets out that there are specific criteria which development must comply with in order for it to be acceptable within the countryside. Section 1.b. sets out that residential extensions (covered by Policy DM26) can be acceptable, providing that the proposals do not have an adverse impact upon the intrinsic character of the countryside. The application site also falls within a settlement gap, protected by Policy S6, which ultimately seeks to ensure that development would not undermine the physical extent and/or visual separation of settlements. As noted within Policy S5, extensions to existing residential properties within the countryside can be acceptable in principle. Policy DM26 supports this further, and sets out criteria which comprise; the size, ensuring that this would not be disproportionate, or have an adverse impact upon neighbours. Therefore, the general principle is considered to be accepted.

The site also has relevant extant planning history which is considered a material consideration in the assessment of this application. Planning application H/22/93216 approved a two storey side extension which incorporated a double garage in October 2022 in a similar location to the proposed garage in this application. Thus, reinforcing the general principle of development is considered acceptable in this instance, however, this would be subject to the following considerations.

Design

- The design of the double garage is suited to the host dwelling in terms of its form, scale and appearance. While the garage would have a fairly sizable height and footprint, it must be acknowledged a larger two storey side extension could be built in a similar location. Furthermore, the proposed garage would be subservient to the host dwelling, the height of the garage would be in line with the eaves of the main house and set back from the principal elevation. While it would be noticeable within the street scene, it would not be overly prominent.
- The existing garage is tired, in need of repair and too small to fit larger sized vehicles, the proposed garage would improve the visual impact to the front of the site and provide better security for the occupant's vehicles.
- At the time of the visit, it was noted some of plots along Brook Lane have garages to their frontages and of a similar design. Therefore, it is considered the proposed garage would be in keeping with the wider surroundings.
- The development would not be an overdevelopment of the site, would retain sufficient amenity space and meet parking standards.
- It is acknowledged the application site does fall within designated countryside and the settlement gap. Policies S5 and S6 seek to protect the countryside from inappropriate development, and to maintain the intrinsic character and spaciousness of settlements. While the proposal is of a relative size, it would be reflective and respectful to the host dwelling, contained within the residential curtilage of the site and would not extend into the surrounding countryside, thus would not be considered to have an adverse impact upon the wider surroundings.

Residential Amenity

- The neighbour most impacted as a result of the location of the proposal is the neighbouring property to the south, Yarrawonga.
- The proposed garage would be sited along the shared boundary where there is thick, dense, mature vegetation (which is covered by a TPO). The minimum separation distance between the proposed garage and the property would be 9.8m. As a result of the separation distance and boundary treatment, the proposal is not considered to have an adverse impact upon the amenities of the neighbouring property. The 2no. rooflights to the southeastern roof slope would be adequately screened by the boundary treatment, therefore there are also no overlooking or loss of privacy concerns.
- Due to the siting of the proposal, the neighbouring property to the north is unlikely to be impacted upon.
- As the garage proposes a home office, a condition will be applied to ensure the proposal is not used for business, industrial or commencement purposes in order to protect the nearby residential amenity.
- Therefore, the development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.

Ecology and Trees

- The Council's Ecologist was consulted as part of this application as the proposal will involve the removal of some the hedgerow along the southeastern boundary and the removal of non-protected trees. The application was accompanied by an Ecological Appraisal and Bat Survey Report which was also submitted with planning application H/22/9316.
- The Ecologist has objected to the scheme as the replacement garage would have a greater impact on the vegetation along the site boundary. However, when considering that a two storey side extension could be built in a similar location, the Ecologist advised should the application be recommended for approval, the following informatives are advised to the applicant:
 - Work must stop immediately if bats are found during works
 - A check for nesting birds must be made in the existing hedgerow
 - Replacement trees will be required
 - Exterior lighting should follow the lighting guidance advice
 - Biodiversity enhancement such as bat and bird boxes
- The Council's Ecologist also reviewed the ecological report and has advised that a CEMP is also required. They have laid out the information that should be included in the condition, which the agent has reviewed and agreed to.
- The Council's Tree Officer was consulted as there is a TPO south of the site. The application was accompanied by an arboricultural report prepared by Hayden's Arboricultural Consultants. The Tree Officer reviewed this report and was content with the measures set out. A condition will be applied to ensure the development accords with this report to protect the TPO.

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: This application is recommended for approval, subject to conditions

Recommendation:

PERMIT ☒

REFUSE ☐