

DELEGATED OFFICER REPORT

Application Ref: F/24/97606

Site Address: 21 BOWERS DRIVE, BURSLEDON, SOUTHAMPTON, SO31 8LZ

Case Officer: Claire Campbell-Best

Description: Garage conversion into habitable accommodation.

Particular Site Constraints	Yes ☐	No ☒
Within the Urban Edge		

Planning History	Yes ☒	No ☐
R/15/76830	Reserved Matters Application for appearance, landscaping, layout and scale pursuant to Outline Planning Permission O/12/71828 for the construction of 150 dwellings with ancillary roads, parking, footpaths, open space and pumping station.	Approve the reserved matters – 18/01/2016
O/12/71828	Outline: residential development (up to 150 houses) with access off the Hamble Lane/Jurd Way roundabout. All matters to be reserved except for access	Refuse Outline Permission – 24/05/13 Allowed at appeal – 29/04/2014

Condition 4 of planning permission R/15/76830 states the following:

The garages hereby approved shall only be used for the purpose of parking private motor vehicle in connection with the residential use of the property and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

Reason: To ensure adequate provision of on site parking for the purpose of highway safety.

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>One letter of objection received from 44 Le Marechal Avenue:</u> The proposed addition of two windows - one on the ground floor and another on the first floor of the property will lead to a loss of privacy as that directly overlooks into our property. As the applicant has two cars, the loss of parking space because of the proposed development would also cause overdevelopment and navigational issues for cars traveling on the estate as the side street parking on the estate is already overcrowded making it difficult for cars to navigate. I request the council to not permit such overdevelopment.		
Bursledon Parish Council:	<u>Objection:</u> Councillors objected to this planning application due to concerns regarding loss of parking and overdevelopment of the site.		
Hampshire County Council Highways:	<u>Comment:</u> In regard to application F/24/97606, as the application is for 5 dwellings or less, there is no required change of vehicle access onto the highway, and the development does not access directly onto a classified road, HCC's Highway Standing Advice should be referred to in the first instance. This can be viewed via the following link under the heading Consultation with the Highway Authority - https://www.hants.gov.uk/transport/developers/consultation However, in regard to the application, the Case Officer will be aware that the loss of the garage parking would result in an under provision		

	of parking when considered against the EBC Parking Standards, which should be fully adhered to. Without this, there is the potential to obstruct the highway both visually and physically, when considering the: - proximity to junctions; - refuse vehicle movements; and - manoeuvring in and out of driveways. The Case Officer will need to consider these impacts when determining the planning application accordingly.
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Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 16/07/2024 – Photographs on file.		

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 and Residential Parking Standards.

Assessment:
<u>Site and Proposal</u> The application site is a coach house, sited above two garages with a shared ground floor entrance and forms part of a two storey semi-detached block. To the front of the property there is a driveway leading to the applicant's garage; to the rear is a modest courtyard area enclosed with fencing. The application site forms part of a recent residential development where the properties are fairly uniform in appearance. The garages within this development have a planning condition restricting the use of garage conversions in order to ensure adequate parking provision and highway safety. This application seeks approval to convert the occupant's garage within the block into habitable accommodation; this would comprise a separate private entrance, lobby area, w.c., kitchen/diner and a new internal staircase to the first floor. The garage door to the front elevation would be replaced with a door and full-length glazed panel and 1no. window. To the rear elevation two windows would be inserted to the ground and first floor to serve the newly created kitchen/diner and the existing first floor living area. <u>Principle</u> The proposal sits within the urban edge where the principle of development is acceptable provided the development accords with the policies within the development plan and guidance from Supplementary Planning Documents. <u>Highways Safety and Parking</u> • The property is a two bed coach house and currently has sufficient allocated parking provision in the form of the garage and driveway, complying with the Residential Parking Standards SPD. The proposed garage conversion would result in the loss of an off-street parking space and the site would be reliant upon on-street parking for the parking shortfall created as a result of the development.

- The Parish and the neighbour at no. 44 have raised concerns relating to the loss of the parking space and potential highway concerns generated as a result of the proposal. Hampshire County Council Highways were also consulted, and the Highways Officer advised the loss of garage parking would result in an under provision of parking which is contrary to the Residential Parking SPD and there is potential for the highway to the front of the site to be obstructed, thus echoing the Parish and neighbour concerns.
- The site is situated on a development where the properties have adequate off-street parking provision; there are limited visitor parking bays located around the development. The property itself fronts Bowers Drive; it was noted during the site visit the road immediately outside the property is narrow and not suitable for on-street parking. If nearby visitor bays are in use, vehicles could park along this stretch of narrow road (as suggested in the design and access statement) resulting in highway safety concerns as described by the Highways Officer.
- 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. Ultimately, it is concluded the loss of the parking space does not accord with the development plan or SPD; the abovementioned suggested alternatives to on-street parking would result in highway safety concerns as outlined and the application is therefore recommended for refusal.

Other Matters:

Design and Layout

- The design of the garage conversion and associated fenestration additions are considered acceptable; the conversion would not result in the property being extended or enlarged. There would be minor alterations to the front elevation, but this is considered to be in keeping with the dwellings in the surrounding area. As such, the impact within the street scene would be minimal.

Residential Amenity

- The neighbours most impacted as a result of the development would be the neighbours to the rear of the site, nos. 42, 44 and 46 Le Marechal Avenue as the proposed first floor rear facing window has the potential to overlook their rear windows and private garden areas.
- The occupier at no. 44 has raised an objection stating this element of the scheme would overlook their garden and impact upon their privacy. The ground floor rear window would overlook the rear courtyard area to the site and face the fencing along the shared boundary and is not expected to impact upon no. 44.
- Currently, the rear elevation to the site has no first floor windows; the insertion of the proposed first floor window would result in a separation distance of approx. 7.8m to the rear boundary (shared with no. 44) and 17.8m to the rear windows of no. 44 which falls short of the 22m separation distance recommended in the Quality Places SPD.
- As such, it is acknowledged the first floor window would generate overlooking and privacy concerns, but this could be overcome with a condition whereby the proposed window would be obscured glazed with a top hung opening only (had the proposal been acceptable with regards to parking and highway safety).
- The garage conversion itself, is not expected to impact on the nearby neighbours as the works would be mainly internal. The alterations to the front elevation (insertion of door and windows) would face the street where overlooking is accepted and tolerated.

Other Material Considerations

- The proposed garage conversion would provide additional accommodation for the applicant. However, the benefits of the proposed development to the applicant

must be weighed against other material considerations, including local planning policies relating to parking and highway safety matters. Therefore, it is considered that the harm that would be caused by the proposed development outweighs the needs or benefits to the applicant.

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.

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 ☒

Reason for Refusal:

The proposed development fails to provide adequate provision for on site car parking which would encourage the parking of vehicles on the public highway and so interrupt the free flow of traffic and cause a hazard to road users. As such the proposal is contrary to Policy DM14 of the Eastleigh Borough Local Plan (2016-2036) and the Residential Parking Standards SPD (2009).