

Application Number: H/24/97983
Case Officer: Rachael Morris
Received Date: 12/08/2024
Site Address: 1 HIGHWOOD AVENUE, NORTH STONEHAM PARK,
EASTLEIGH, SO50 9QY
Applicant: Mostafa Elhaddad
Proposal: Conversion of garage to habitable accommodation and a
single storey rear extension

Recommendation: PERMIT subject to conditions

CONDITIONS AND REASONS:

1. The development hereby permitted shall be implemented in accordance with the following plans numbered: 24/683/02, 24/683/03.A, 24/683/04.C and 3151-001_REV A_BOUND Rev A

Reason: For the 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. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour and texture those used on the existing building.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

4. A biodiversity enhancement shall be installed prior to the first use of the development hereby permitted. This shall include a bat brick/box and a swift nest box. The Bat Conservation Trust recommends installing a bat brick/box at least 4 m above the ground, away from artificial light sources, sheltered from strong winds and exposed to the sun for part of the day, facing south, south-east or south-west. Swift nest boxes are best positioned under the eaves or on walls facing north, northeast or north-west out of direct sunlight, five metres above the ground, with clear adjacent airspace so swifts can access them in a high-speed direct flight.

Reason: To ensure a biodiversity enhancement is provided in accordance with policy DM11 of the Eastleigh Local Plan (2016-2036)

5. The development hereby permitted shall not be brought into use until a minimum of 3.no car parking spaces have been provided within the curtilage of the site, as demonstrated on plan '24/683/04.C' and thereafter maintained and kept available.

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

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:

Site Characteristics and Character of the Locality

1. The application property is one of the first dwellings seen as you approach up Highwood Avenue from Stoneham Lane. However, the dwelling is set back off the main road and accessed through a shared drive with 6.no other dwellings.
2. Highwood Avenue and the associated housing along it is a relatively new, constructed as part of the Stoneham estate, however, is now at a point where the appearance of the locality is established.

Description of Application

3. The application dwelling is a detached property comprising 4.no bedrooms on the first floor and an attached garage on the ground floor. The proposal includes converting the garage to an additional bedroom with associated en-suite.
4. The description does not state that this conversion is an annexe because it is not considered there is enough amenity provided to qualify this an annexe and as such is simply the conversion to a habitable bedroom.
5. The application also proposes a single-storey rear extension which will provide additional living space and an internal access point to the converted garage.

Relevant Planning History

6. O/15/76023 - Outline application with all matters reserved (except for access) for the demolition of existing buildings/structures and the development of: 1) on land south of Chestnut Avenue (North Stoneham Park) - 1100 dwellings (use class C3); - residential care home (use class C2); - creation of a new local centre - including a new primary school (2FE), children's pre-school nursery, community building, retail, office and other buildings and car parking

(use classes A1, A2, A3, A4, A5, B1a, D1, D2); - public open space, children's play equipment, associated hard and soft landscaping and works; - foul and surface water drainage measures including pumping stations; access from Chestnut Avenue and Stoneham Lane (with new accesses/works to Chestnut Avenue (existing), Chestnut Avenue/Nightingale Avenue, Chestnut Avenue/Stoneham Lane, Stoneham Lane/Stoneham Way Junctions and new accesses onto Stoneham Lane); new footway/cycleway links; 2) extension to Lakeside Country Park on land east of Stoneham Lane, including new pedestrian links, landscaping and associated works; 3) construction of a new cycleway/footway along Stoneham Lane (from north/east of St Nicolas Church, southwards to the administrative boundary with Southampton City); 4) use of land south of Junction 5 of the M27 motorway for playing pitches and construction of associated facilities (including changing pavilion/hub building, spectator stands, enclosures, all-weather playing surfaces; floodlighting); with new accesses onto Stoneham Lane; parking; new footway/cycleway; landscaping and associated works; and 5) associated engineering operations; on and off-site supporting infrastructure necessary to facilitate development of the site. This application is subject to an Environmental Impact Assessment and is a departure from the development plan, and affects the setting of a listed building, and affects Public Rights of Way – Grant outline – Jan 2016

7. R/17/79892 - Reserved matters for appearance, landscaping, layout and scale (pursuant to outline planning permission O/15/76023 which was subject to Environmental Impact Assessment) for the erection of 560 dwellings comprising parcels 2A / 2B (part) and 3B / 4A; public open space in parcels 3C (part) and 1E; access road within parcel 1D/1B (Local Centre/Primary School); a pumping station within parcel 4B on land to the east of Stoneham Lane; associated landscaping, drainage, car parking, refuse storage and boundary treatments. Proposal to include diversion of existing public right of way (footpath 54) – Approve reserved matters - May 2017

Representations Received

8. None received from the public.
9. Eastleigh Town Council - No objection.

Consultation Responses

10. Ecology – No objection.
I have reviewed the site photos. I don't see any evidence of existing bat or bird boxes. There appears to be some bamboo on the rear corner of the house. This can be invasive, and the plant should be thoroughly removed (including all root fragments) before construction of the proposed extension as the roots of some bamboos can undermine foundations. Biodiversity enhancements can be agreed before determination or can be conditioned.
11. Hampshire Gardens Trust/The Gardens Trust – No comment.

Policy Context and Designations Applicable to Site

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

Development Plan

Eastleigh Borough Local Plan 2016-2036

12. 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)
- DM11 (Nature conservation)
- DM14 (Parking)

Supplementary Planning Documents

- Quality Places (2011)
- Residential Parking Standards (2009)

National Planning Policy Framework

13. 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.

14. Three dimensions of sustainability are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst local circumstances should also be taken into account, so that development responds to the different opportunities for achieving sustainable development in different areas.

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.

Assessment of Proposal: Development Plan and / or Legislative Background

16. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a Local Planning Authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Saved Policies of the Eastleigh Borough Local Plan Review 2001-2011 and the Hampshire Minerals and Waste Plan 2013 (which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

Principle:

17. The development is within the urban edge where the principle of development is acceptable.
18. Policy DM1 from the local plan, states “All new development should 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 with adjoining uses and be well integrated with these in terms of mass, scale, materials, layout, density, design and siting, both in itself and in relation to adjoining buildings, spaces and views. Where adjoining development is poor in urban design terms, new development should contribute to improving the character of the area”.
19. Policy DM14 from the local plan, states “New residential development will be required to provide off-highway parking which is adequate in terms of highway safety/traffic management. Provision will take account of the adopted Eastleigh Borough Council’s Residential Parking Standards SPD which sets out minimum requirements for parking provision”.
20. Condition 3 of the reserved matters application (R/17/79892) states “The garages hereby approved shall only be used for the purposes of parking private motor vehicles 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”

Design and Appearance:

21. When viewing the proposal from the front, the existing garage door will remain in place and as such the impact to the street scene will be unchanged. The proposed rear extension is single-storey and a modest addition, not extending out further than the existing attached garage.

22. The proposed roof of the rear single-storey extension is hipped which reduces its potential impact as it recesses away from the boundary and into the side of the existing attached garage.
23. The materials are noted on the submitted plan to match the existing dwelling, and as such this will be conditioned.
24. 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.
25. The additional windows/doors are all proposed to the ground floor, which includes the associated rear/side windows and rooflights to the proposed single-storey rear extension as well as a proposed rear patio door and rooflight to the existing attached garage. These windows/doors are required to provide adequate access to light for the occupation of the garage.
26. Overall, the proposal is considered acceptable, takes account of the context of the site and would be well integrated in terms of scale, materials, layout and design, as such is in accordance with policy DM1 of the Local Plan (2016-2036).

Parking:

27. The Residential Parking Standards SPD recognises that 'a significant number of garages are not used for car parking' which is demonstrated here in this application where the garage is used for storage.
28. The submitted site plan shows that 3 no spaces can be provided, in accordance with the Residential Parking Standards SPD which states 4+ bedroom properties must provide 3 no off-highway spaces. These are all off the highway and all measuring 2.4m X 4.8m in size.
29. Councilors were concerned that the provided car parking spaces were not practicably usable and as such requested that a tracking plan was submitted to demonstrate this. This altered the proposed layout to have 2 no tandem parking spaces to the front of the dwelling with 1 no to the side, in front of the garage, which is a reversed layout since submission. The tracking plan shows suitable usability and is an acceptable layout.
30. While 2 no spaces would be provided in a tandem layout, which is not a preferred arrangement, it is recognised that this would not be too dissimilar

from the existing situation if a car were to be parking in the garage and is a parking situation seen throughout the estate.

31. In addition, while the original planning permission does restrict the use of garages as residential, this application has satisfactorily demonstrated that parking can still be safely provided and as such does not conflict with the principle of the condition in this case.
32. It can be concluded that the proposed parking provision for this application is acceptable and in accordance with policy DM14 of the Local Plan (2016-2036) and the Residential Parking Standards SPD.

Ecology:

33. The council's ecology officer offers no objection to this scheme, provided the application is secured with the addition of a biodiversity enhancement such as a bat brick/box or swift nest box. This will be conditioned.
34. The comments relating to the invasive species of bamboo is worthy of note by the applicant, however, this is not a planning consideration.
35. The proposal will not harm nature conversation and with the conditioned biodiversity enhancement would accord with policy DM11 of the Local Plan (2016-2036).

Sustainability Measures and Climate Change:

36. 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.
37. 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.

Other material considerations

Equalities Implications:

38. 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.
39. 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.
40. The development is proposed in order to provide accommodation for an elderly relative.