

Wednesday, 28 August 2024

**BURSLEDON, HAMBLE-LE-RICE AND HOUND LOCAL AREA
COMMITTEE**

will meet on
Thursday, 5 September 2024
beginning at
6:00 pm
in the

Bursledon CA Junior School, Long Lane, Bursledon, SO31 8BZ

TO: Councillor Tonia Craig (Chair)
Councillor Steve Holes (Vice-Chair)

Councillor Malcolm Cross
Councillor Alison Holland

Councillor Liz Jarvis
Councillor Jane O'Sullivan

Staff Contacts: Catherine Collins, Democratic Services Officer Tel: 07818
800641; Email: catherine.collins@eastleigh.gov.uk

Ross McClean, Local Area Manager Tel: 023 8068 3367; Email:
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JOANNE CASSAR
Service Director – Governance and Support (Monitoring Officer)

Copies of this and all other agendas can be accessed via the [Council's website](#)
as well as in other formats.

Members of the public are invited to speak on general items at the start of the meeting,
and on individual agenda items at the time the item is discussed. To register please
contact the Democratic Services Officer above.

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media is permitted at meetings open to the public. We ask that you notify the Chair or

Support Officers in advance so that all attendees can be notified, and reasonable facilities can be provided. More information can be found [here](#).

Please note that Councillors will be using tablet devices to access meeting papers.

AGENDA

1. Apologies

2. Public Participation

You can submit questions in advance of the meeting to the following email address: democratic.services@eastleigh.gov.uk. The deadline for submissions is **12pm on Wednesday 4 September 2024**.

Please let us know if you wish to attend the meeting. **PLEASE DO NOT ATTEND IF YOU HAVE ANY COVID-19 SYMPTOMS.**

3. Declarations of Interest

Councillors are invited to declare interests in relation to items of business on the agenda. Any interests declared will be recorded in the Minutes.

4. Minutes of Previous Meeting (Pages 7 - 14)

To consider the minutes of the meeting held on 18 July 2024.

5. Chair's Announcements

6. Motion - Lowford Crossing

To consider the following motion proposed by Councillor Holes, and seconded by Councillor O'Sullivan:

"Further to the Motion approved by the Bursledon, Hamble-Le-Rice and Hound Local Area Committee last year which resulted in limited improvements, the Local Area committee is concerned that the zebra crossing on Portsmouth Road, Lowford is still a very dangerous crossing for all those using it, despite Hampshire County Council recently making some changes to it.

In addition the protection for local school children has reduced, and risk to pedestrians increased, with the loss of one of the school crossing patrol officers in recent months.

The Bursledon, Hamble-Le-Rice and Hound Local Area Committee resolve to:

1. Ask the County Council to revisit this site to make it safe for all those using it.
2. Take the opportunity to discuss the issues with local councillors."

7. Motion - Removal of Post Box

To consider the following motion proposed by Councillor Craig and seconded by Councillor Holes:

"The Bursledon, Hambe-Le-Rice and Hound Local Area Committee was recently surprised and shocked that Royal Mail decided to remove a much used post box with no consultation or notice.

This post box was used by many of the vulnerable in the community when visiting the shops or getting the bus from the village, as well as local businesses.

It was the only post box in and around Bursledon not at the top of a hill and it was the only one in the village centre.

The Local Area Committee (LAC) resolve to ask that:

1. Royal Mail review this site at Lowford and meet with councillors to discuss a way forward.
2. Royal Mail confirm, that prior to removing services across the Borough in the future, they agree to consult with councillors and the community before making a final decision to remove them.

The Bursledon Hamble and Hound Local Area Committee also resolves that, as the post box is badly missed and needed the LAC offers two options:

1. The entrance to the Lowford Community Centre (previously rejected).

The clear advantage being that the land is owned by Eastleigh Borough Council, who is asking for the return of the post box and could be easily accessed by Royal Mail as they already pull up in the centre car park to let workers out to deliver post.

2. The pavement outside One Stop.

It is also a suitable location as it is central to the village and the pavement is wide enough to take it without hindering the thoroughfare."

8. Report of the Local Area Manager (Pages 15 - 22)
9. Presentation on Planning Guidelines
10. Planning Application - St Andrews Buildings, High Street, Hamble-Le-Rice - F/24/97159 (Pages 23 - 46)

Single and two-storey rear extension following demolition of existing rear extensions, addition of new roof to existing side projection, elevational alterations, and partial conversion and internal reconfiguration of building to provide 5no. residential flats, with existing 2no. commercial units to be retained (amended description). (Ref: F/24/97159).

11. Planning Application - Cherry Court, Salterns Lane, Bursledon, SO31 8DH - F/24/97376 (Pages 47 - 70)

Construction of 7 bedroom detached dwelling over three levels and associated landscaping following demolition of existing dwelling. (Ref: F/24/97376).

- 12.** Planning Application - Netley Green Cottage, Lowford Hill, Bursledon, SO31 8ER
- H/24/97802 (Pages 71 - 82)

Erection of outbuilding comprising of a garage, workshop and home office in rear garden (Revised scheme to application approved under H/24/96802).(Ref H/24/96802).

DATE OF NEXT MEETING
Thursday, 21 November 2024 at 6:00 pm
In the Bursledon CA Junior School, Long
Lane, Bursledon, SO31 8BZ

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BURSLEDON, HAMBLE-LE-RICE AND HOUND LOCAL AREA
COMMITTEE

Thursday, 18 July 2024 (6:00 pm – 7:28 pm)

PRESENT:

Councillor Craig (Chair); Councillors Holes, Cross, Holland and O'Sullivan

Apologies for absence were received from Councillors Jarvis

RESOLVED ITEMS (SUBJECT TO QUESTIONS ONLY)

243. PUBLIC PARTICIPATION

There was no public participation on this occasion.

244. DECLARATIONS OF INTEREST

There were no declarations of interest in relation to items of business on the agenda.

245. MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 14 March 2024 be approved as correct.

246. CHAIR'S ANNOUNCEMENTS

The Chair and Councillor Holes informed the Local Area Committee that they would be bringing two motions to the September meeting, one on the removal of a much used post box and a further one for Lowford crossing.

The Chair mentioned she was disappointed to see that telephone boxes were being removed without consultation and hoped that the Committee could ensure consultations were carried out in future.

247. REPORT OF THE LOCAL AREA MANAGER

Consideration was given to the report of the Local Area Manager (Agenda Item 6) that contained recommendations for expenditure from the Committee's developer contributions.

Councillor Holes raised concerns that the footpath and bridge by the scout hut at Woodland Park, Hungerford was being cleared by a member of the public due to lack of maintenance from Hampshire Highways.

The Chair stated that she was aware and she would be requesting that Hampshire Highways added the area to an ongoing maintenance plan.

The Chair asked the Local Area Manager to ensure that grant recipients fed back to the committee how the grant had helped them.

The Local Area Manager stated that recipients were asked to provide an update on how the funds benefit the community, including a case study and photos to show how the grant funding had been used.

RESOLVED –

That the Committee:

- (1) Approved the grant request of £500 to 7th Itchen South Scout Group for refurbished lighting;**
- (2) Approved the grant request of £500 to the Hamble Conservation Volunteers to support conservation projects for Hamble Common;**
- (3) Approved the grant request of £500 to Hamble Squash Club to assist with funding the roof repair on the building;**
- (4) Approved the grant request of £450 to Wet Wheels to provide barrier-free boating experiences for people with a disability in the Bursledon, Hamble, and Hound area;**
- (5) Approved the allocation of £6500 from identified developer's contributions to repair the toilets at Pilands Wood Community Centre;**
- (6) Approved the allocation of £8,000 from identified developer's contributions to fund the installation of toilets in the play group area of the Pilands Wood Community Centre;**
- (7) Noted the spend of £1,360 from reserves to fund additional bollards at Kestrel Park;**
- (8) Noted the spend of £1820 from the Bins capital account to fund two replacement bins;**
- (9) Noted the spend of £151 to replace and install dragons' teeth in Hound Road Gardens;**
- (10) Approved the allocation of £26,785 from identified developer's contributions to fund footpath and bridge repair works in Woodland Park, Hungerford;**

- (11) **Approved the grant request of £5,000 from reserves to fund the outdoor play at Hamble preschool;**
- (12) **Approved the re-allocation of £102,657 from developer contributions relating to Pilands Wood Play Space (£15,000) the King George V Play Area (£60,000) and the long lane tennis court balance (£25,000) to the Long Lane pavilion project in Bursledon; and**
- (13) **Approved the additional allocation of £43,651 from developer contributions to the Long Lane pavilion Project.**

248. **APPOINTMENTS TO OUTSIDE BODIES, REGULATORY PANELS, AND OTHER GROUPS**

The Committee considered the report of the Local Area Manager (agenda item 7) concerning appointments to regulatory panels, other groups and outside bodies.

RESOLVED –

- (1) **That the Bursledon Hamble and Hound Local Area Committee made appointments to the following Outside Bodies:**
 - i) **Bursledon and District Community Association Board – Councillor O’Sullivan**
 - ii) **Hamble Community Sports College Community Management Committee – Councillor Holland**
 - iii) **Hampshire Buildings Preservation Trust – Ross McClean**
 - iv) **Pilands Wood Community Association – Councillor Craig**
 - v) **River Hamble Management Committee – Councillor Holes**
 - vi) **Solent Sea Rescue Organisation – Councillor Holes**
 - vii) **Standing Conference on Problems Associated with the Coastline – Councillor Cross, Officer Rep: Toni Johnson**
- (2) **That the nominations for 2024/25 municipal year appointments to regulatory panels and other groups as set out in the table below were APPROVED:**

Regulatory Panels	Councillor nominations for 24-25
Licensing – to deal with issues not covered by the Licensing Act 2003 or the Gambling Act 2005	All members of the Committee to be appointed to a pool from which any three can be selected.

Licensing Panels as appointed by full Council for the purposes of the Licensing Act 2003 or the Gambling Act 2005	Cllr A Craig Cllr A Holland Cllr J O'Sullivan
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249. PRESENTATION ON PLANNING GUIDELINES

The Principal Planning Officer gave a short presentation on guidelines that had to be taken into account when determining planning applications; in particular the issues that could, and could not, be taken into account. This was set against the broader policy framework.

250. PLANNING APPLICATION - BADNAM COTTAGE, HIGH STREET, BURSLEDON, SO31 8DJ - F/24/97033

The Committee considered the report of the Service Director for Planning and Environment (Agenda Item 9) concerning an application for demolition of existing dwelling and replacement with 1.no 4-bedroom dwelling (Ref: F/24/97033).

The Committee was updated with the following for clarification:

- The four comments referred to on page 26, para 12 of the report included comments from representatives of the Old Bursledon Action Group.
- The Parish Council had confirmed an objection to the scheme, due to concerns that the new building exceeded permitted development increase in volume in the conservation area. Concerns were also raised that the design and prominence were unsuited to the conservation area and that there was insufficient evidence that the building was in so poor a condition as to require demolition.

RESOLVED -

That permission be GRANTED with conditions as per report.

(NOTES: The agent to the applicant spoke in support of the application.)

251. PLANNING APPLICATION - GREYWELL, HIGH STREET, BURSLEDON, SO31 8DL - H/24/97187

The Committee considered the report of the Service Director for Planning and Environment (Agenda Item 10) concerning an application for proposed garage with first floor ancillary accommodation, rebuilding of brick

boundary wall and new internal courtyard wall (revised scheme approved under H/22/93352) together with single storey side extension to main house, alterations to existing outbuilding with attached car port linked to proposed garage and covered walkway to main house, replacement vehicular gates, creation of new timber gate and associated tree works and external landscaping (Ref: H/24/97187).

The Committee was updated with the following:

- Additional plans had been received following publication of the Committee report showing existing vehicular gates along with proposed vehicular gates. The plans also included a replacement pedestrian gate and show the proposed new wall to create the bin store area.
- The description had been updated to include the wall and pedestrian gate. Description of development amended as follows:

Proposed garage with first floor ancillary accommodation, rebuilding of brick boundary wall and new internal courtyard wall (revised scheme approved under H/22/93352) together with single storey side extension to main house, alterations to existing outbuilding with attached car port linked to proposed garage and covered walkway to main house, replacement vehicular and pedestrian gates, creation of new timber gate, new wall and associated tree works and external landscaping.

The wall had been included in the assessment of the application but not the pedestrian gate.

- Assessment of replacement pedestrian gate:

The replacement gate would match the style of the replacement vehicular access gates. As the gate is a minor alteration and not likely to impact the conservation area or neighbours it has been assessed that this change is acceptable and can be included in the applications.

RESOLVED -

That permission be delegated back to the Planning Manager in conjunction with the Chair and Vice-Chair to GRANT PLANNING PERMISSION with the conditions as per report and subject to

- Receipt of Preliminary Ecological Appraisal and bat emergence surveys (as applicable) and agreement of any necessary mitigation;**
- Agreement to additional ecology conditions (if required).**

(NOTES: One person spoke in support of the application.)

252. PLANNING APPLICATION - GREYWELL, HIGH STREET, BURSLEDON, SO31 8DL - L/24/97193

The Committee considered the report of the Service Director for Planning and Environment (Agenda Item 11) concerning an application for proposed garage with first floor ancillary accommodation, rebuilding of brick boundary wall and new internal courtyard wall (revised scheme approved under H/22/93352) together with single storey side extension to main house, alterations to existing outbuilding with attached car port linked to proposed garage and covered walkway to main house, replacement vehicular gates, creation of new timber gate and associated tree works and external landscaping (Ref: L/24/97193).

The Committee was updated with the following:

- Additional plans had been received following publication of the Committee report showing existing vehicular gates along with proposed vehicular gates. The plans also included a replacement pedestrian gate and show the proposed new wall to create the bin store area.
- The description had been updated to include the wall and pedestrian gate. Description of development amended as follows:

Proposed garage with first floor ancillary accommodation, rebuilding of brick boundary wall and new internal courtyard wall (revised scheme approved under H/22/93352) together with single storey side extension to main house, alterations to existing outbuilding with attached car port linked to proposed garage and covered walkway to main house, replacement vehicular and pedestrian gates, creation of new timber gate, new wall and associated tree works and external landscaping.

The wall had been included in the assessment of the application but not the pedestrian gate.

- Assessment of replacement pedestrian gate:

The replacement gate would match the style of the replacement vehicular access gates. As the gate is a minor alteration and not likely to impact the conservation area or neighbours it has been assessed that this change is acceptable and can be included in the applications.

RESOLVED -

That Listed Building Consent be GRANTED with conditions as per report.

(NOTES: One person spoke in support of the application.)

253. PLANNING APPLICATION - SOUTH WOODS, SALTERNS LANE, BURSLEDON, SO31 8DH - H/24/96969

The Committee considered the report of the Service Director for Planning and Environment (Agenda Item 12) concerning an application for remodelling of dwelling to include first floor side extension and roof, alterations to materials; revised fenestration and doors, replacement front porch, erection of detached car port with solar panels, and conversion of existing detached garage to home office with alterations to materials and fenestration (Ref: H/24/96969).

There were no updates.

The Chair requested that going forward officers' reports for applications related to Policy BU7 included all planning history back to 1982.

RESOLVED -

That permission be GRANTED with conditions as per report.

254. PLANNING APPEALS

The Planning Manager reported:-

- (a) that the following appeals had been lodged:

Old Fairground, Bursledon Road, SO19 0NL

Appealed against the Council's refusal to grant planning permission for construction of a 3 bedroom detached house with associated parking and landscaping to replace an existing 3 bedroom mobile home. (Ref: F/23/95867).

This was a delegated decision.

- (b) that the following appeals had been approved:

13 Satchell Lane, Hamble-Le-Rice, Southampton, SO31 4HF

Appealed against the Council's refusal to grant planning permission for a single/two storey front extension to incorporate balcony, single storey side extension, single/ two storey rear extension, elevational alterations and enlargement to site access and front parking area. (Ref: H/23/95847).

This was a Local Area Committee decision.

Costs were refused.

- (c) that the following appeals had been dismissed:

**Bursledon Congregational Church, School Road, Bursledon,
SO31 8BU**

Appealed against the Council's refusal to grant planning permission for proposed change of use of existing Methodist Church Hall to three dwellings and the construction of a garage. (Ref: F/21/89869).

This was a delegated decision.

Hound Road, Netley, SO31 5FS

Appealed against the Council's refusal to grant planning permission for the erection of a flexible power generation and battery storage facility with associated infrastructure, access and boundary treatment. (Ref: F/20/88834).

This was a delegated decision.

RESOLVED -

That the report be noted.

BURSLEDON, HAMBLE, AND HOUND LOCAL AREA COMMITTEE

Thursday, 5th September 2024

FINANCE MONITORING REPORT

Report of the Local Area Manager

Recommendations

It is recommended that the Committee:

- (1) Approves the grant request of £500 from the revenue budget towards the creation of a history of Hound book;
- (2) Approves the proposed fees and charges for 2024/25 set out in Appendix 1 and
- (3) Notes the achievements in the local area supported by the Local Area Committee (LAC), highlighted in Appendix 2.

Summary

This report contains recommendations for expenditure from the Committee's developer contributions and identifies funding for provision to meet local need and to enhance the local area. The Local Area Committee's support is sought to enable their implementation.

Statutory Powers

Section 1 of the Localism Act 2011 i.e., the Local Authority's general power of competence, including power to act for the benefit of its area or persons resident or present in its area. S.106 Town and Country Planning Act 1990

Strategic Implications

1. The works outlined below contribute to the following strategic priorities and corporate themes within the Corporate Plan 2023-26:
 - Local First: where possible taking decisions at a local level about things which affect people's lives, and using contributions from local developments for local projects;
 - Protecting our environment and Shaping places through, for example, creating a sense of place through improved pathways, providing additional bins, and improving air quality; and

- Enabling a healthier Eastleigh through increasing wellbeing, tackling deprivation, improving community infrastructure, and improving places where different people can meet and receive support and services.

Grant Request to produce Hound History book

2. A local resident, in partnership with the Hound Historical Society, is planning to publish a book which captures the memories and stories of a local resident approaching his 99th birthday. The book will include notes, postcards and photographs of Stanley Rickeard and his experiences of the D-Day landings, the Burma campaign and being awarded the freedom of Southampton and the history of Hound and Netley where Stanley has lived most of his life.
3. It is recommended that the Committee awards a grant of £500 from the revenue budget to the Hound historical society towards the publication of The History of Hound.

Fees and Charges proposal

4. BHH LAC have the discretion to set fees for services devolved to their areas subject to compliance with the corporate target to maximise additional income where possible and appropriate. These will be implemented from the 7th October 2024.
5. The Service Manager has recommended an increase in the fees and charges for Hamble Square Car Park from 7th October 2024, with the proposed charges for the coming year shown below. The increase aligns with other car parks in the area whilst keeping the same price for the shortest stay and 30-minutes free.
6. The Committee is asked to approve the recommended fees and charges for Hamble Square Car park highlighted in Appendix 1, which will take effect from 7 October 2024.

Achievements in the local area

7. It is recommended that the Committee notes the good news stories in the local area as detailed in appendix 2.

Financial Implication

8. The proposed fees and charges must be implemented to achieve the corporate target.

Risk Assessment

9. If the Committee does not comply with the corporate fees and charges policy and the income target is not achieved, then it will be liable for any shortfall at Hamble Square Car Park.

Equality and Diversity Implications

10. The Equality Act is relevant to the decisions in this report because as the decisions relate to eliminating discrimination, advancing equality of opportunity, or fostering good relations between different people.
11. The Council has identified social deprivation as an additional Protected Characteristic under the Equality Act 2010. The Equality Act is therefore relevant to the decisions relating to the proposed fees and charges in this report, however a full Equality Impact Assessment (EIA) has not been carried out, because while there are some equalities impacts, it is not proportionate to conduct a full EIA.

Climate Change and Environmental Implications

12. Encouraging the use of a car park does have implications for local air quality/CO2 emissions etc. However, increasing the parking charges should not significantly change the status quo.

Conclusion

13. The recommendations contained in this report are now submitted for Councillors' final approval and are to be funded from the Local Area Committee's revenue budget, revenue reserves.

ROSS MCCLEAN
LOCAL AREA MANAGER (BHH)

Date: 05/09/2024
Contact Officer: Ross McClean
Tel No: 023 8068 3367
e-mail: ross.mcclean@eastleigh.gov.uk
Appendices Attached: two

LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information.

None.

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Hamble Car Parking Charges

The annual review of car parking charges in Hamble Square car park has been undertaken.

Table 1. Proposed Parking Charges in Hamble

	Current	Proposed	% change
First ½ hour	Free	Free	N/A
Up to one hour	£1.00	£1.00	0%
Up to two hours	£2.00	£2.50	25%
Up to three hours	£3.00	£3.50	16.67%
Up to four hours	£4.00	£4.50	12.5%

Residents Parking Scheme

To augment the on-street resident parking permit options, the council introduced a dedicated resident (and business) permit option for the Square Car Park only to complement the current offer from Hampshire County Council (HCC).

The resident permit charges remain unchanged.

Permit charges

1st Permit - £100

2nd Permit - £100

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Bursledon, Hamble-Le-Rice & Hound Local Area News

Tennis Courts on Long Lane Open

EBC in partnership with the Lawn Tennis Association have jointly funded the refurbishment of the tennis courts on Long Lane in Bursledon.

The courts have been resurfaced and painted with new nets and posts installed.

The courts opened for bookings on 2nd July. By mid-August we have had 229 bookings in that period and 12 household memberships have been sold.



Friday Night Football to re-start

After a short break over the summer BHH LAC are pleased to be supporting the Friday Night Football sessions restarting on the 20th September 2024 at Hamble School. There will be two sessions every Friday. 6pm-7pm age 10-12. 7pm-8pm age 13+. These sessions will be run by Youth Options at the new price of £1 a session.

Spring Clean success in the 3 Parishes



BHH LAC funded engagement with over 1350 households offering a free bulky waste collection in selected areas of the 3 Parishes.

We received 177 responses via email, phone, and website link.

Following the response from the surveys the team made a total of 98 bulky waste collections, collected over 8 tonne of waste which was over 17 van loads.

Dragons' teeth in Hound Road Gardens



Following a report of damaged and rotting dragons' teeth in Hound Road Gardens, BHH LAC funded replacement posts.

This will protect the Council owned green space and encourage sensible parking in the area.

Replacement kitchen at Pilands Wood Community Centre

Funded by the UK SPF fund and additional funding from the BHH LAC a replacement kitchen has been installed in the centre. The space, previously only used to provide hot refreshments, is now a fully functional community kitchen.



BHH – Bursledon, Hamble and Hound Local Area Committee 5 September 2024

Application Number: F/24/97159
Case Officer: David Huckfield
Received Date: 28/03/2024
Site Address: St Andrews Buildings, High Street, Hamble-Le-Rice
Applicant: Mr Paul Green
Proposal: Single and two-storey rear extension following demolition of existing rear extensions, addition of new roof to existing side projection, elevational alterations, and partial conversion and internal reconfiguration of building to provide 5no. residential flats, with existing 2no. commercial units to be retained (amended description).

Recommendation:

Subject to:

- i) the applicant making provision for the securing of the required contributions towards mitigating the impacts of the additional recreational pressure arising from the development on the Solent and New Forest SPA, SAC and Ramsar sites; and
- ii) receipt and consideration of the comments of Natural England in relation to the Habitats Regulations Appropriate Assessment undertaken by the Local Planning Authority in relation to the impacts of the development on the Solent and New Forest SPA, SAC and Ramsar sites.

To Delegate back to the Planning Manager in conjunction with the Chair and Vice Chair of the Bursledon, Hamble and Hound Local Area Committee to **PERMIT** subject to the following conditions:

CONDITIONS AND REASONS

1. The development hereby permitted shall be implemented in accordance with the following plans numbered: 001, 002, 100, 101, 200, 201, 210 Revision B, 211 Revision B, 003 Revision B, 110 Revision A, 111 Revision B. 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. No construction or demolition works shall commence until a Construction Environment Management Plan (CEMP), has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction shall only take place in accordance with the approved details which shall include:
 - a) a programme and phasing of the demolition, construction and development works;

- b) the location and height of any temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
- c) the arrangements for the routing / turning of lorries and details for construction traffic access to the site;
- d) the arrangements for deliveries associated with all demolition and construction works, loading / unloading of plant & materials and restoration of any damage to the highway [including any vehicle crossovers where applicable];
- e) the parking of vehicles of site operatives and visitors;
- f) the protection of pedestrian routes during construction;
- g) management measures to control the emission of dust generated by demolition and construction works;
- h) measures for controlling noise and vibration impacts on noise sensitive properties from site preparation and construction activities (to include details of any piling if proposed);
- i) provision for storage, collection, and disposal of waste from the development during the demolition and construction period;
- j) details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e. wheel washers), and onwards mitigation should this fail, such as the employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process;
- k) the erection and maintenance of any security hoardings/fencing;
- l) details of any construction lighting which shall have regard to the recommendations contained within the submitted Bat Report (Hampshire Ecological Services Ltd, July 2024).

Reason: In the interests of highway safety, and to limit the impact the development has on the amenity of the locality, neighbouring residents, and biodiversity during the demolition and construction process.

4. Notwithstanding the approved plans / details, no development above slab level shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - a) details and samples of the materials to be used in the construction of the external surfaces of the development;
 - b) plans and particulars showing details for the provision for cycle and bin storage to serve the development;
 - c) details of boundary treatments and surfacing proposed for the amenity areas for Flats 1 and 2;
 - d) details of the privacy screen to be installed on the window serving the bedroom within Flat 5 (as indicated on approved drawing 111 Revision B);
 - e) details of how car parking spaces as shown on drawing number 003 Revision B will be allocated to individual residential apartments and how these will be marked out; and
 - f) details of the Electric Vehicle Charging Point to be installed as part of the proposals.

The development shall be carried out in accordance with the approved details which shall thereafter be maintained for the lifetime of the development.

Reason: To ensure a satisfactory visual appearance, to provide for adequate facilities to serve the development, and in the interests of sustainability and amenity.

5. No dwelling hereby permitted shall be occupied until the areas for the parking of vehicles has been made available for use in accordance with the details shown on drawing number 003 Revision B and approved under Condition 4(e). The parking shall then be permanently retained and reserved for that purpose at all times. Reason: To make provision for adequate on-site parking in the interests of highway safety.
6. The development hereby permitted shall not be occupied until a mitigation package addressing the additional nutrient inputs arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such a mitigation package shall address all of the additional nutrient loading upon protected European sites from the development and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of those European Sites, having regard to the conservation objectives for which they are designated. The mitigation package shall be implemented in full and evidence of this provided to the Local Planning Authority in writing prior to first occupation of the development. Reason: To mitigate the nitrates impacts arising from the development upon the European protected Solent Complex in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017.
7. The development shall be carried out in accordance with the recommendations for ecological enhancement measures as set out within paragraph 5.5 of the submitted Bat Report (Hampshire Ecological Services Ltd, July 2024). Reasons: To secure a net gain for biodiversity.
8. The rear window serving the bedroom of Flat 1 (denoted as 'frosted glass' on approved drawing no. 211 Revision B) shall be obscure glazed to a minimum of Pilkington's level 3 or equivalent and, once installed, the window shall be permanently maintained in that condition. Reason: In the interests of residential amenity.
9. The commercial units hereby approved shall be used only for purposes within Class E of the schedule to the Town and Country Planning [Use Classes] Order 1987, [or in any provision equivalent to that/those Class[es] in any statutory instrument revoking and re-enacting that Order with or without modification] and for no other purposes whatsoever. Reason: In the interests of amenity and highway safety.
10. No plant or equipment shall be installed on the exterior of the building without the prior written approval of the Local Planning Authority. Reason: In the

interests of protecting the amenity of the occupiers of neighbouring residential properties.

11. No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings.
12. No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process. Reason: To protect the amenities of the occupiers of nearby properties.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework, Eastleigh Borough council take 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.

Note to Applicant: 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>

Note to Applicant: This planning permission does not convey the right for the development to encroach over, under or onto land, which is not within your ownership, without the consent of the landowner.

Report

1. This application has been referred to Committee by Councillors Jarvis, Craig, and Holes.

Description of application

2. The application seeks full planning approval for the extension and partial conversion of the building to provide a total of 5no. flats, as well as the retention of 2no. existing commercial units (use class E). The commercial units are sited at the eastern end of the property's ground floor level, with the rest of the ground floor being proposed to accommodate 3no. 1-bedroom flats. The remaining two flats (comprised of 1no. 1-bed and 1no. 2-bed) would be situated on the building's first floor.
3. Externally, the existing single and two storey projections at the rear (northern side) of the building would be demolished as part of the proposals with these being replaced by a new hipped-roof single and two-storey extension, beyond which would be an area of outdoor amenity space for two of the ground floor flats. The current single-storey addition to the building's western side would be

retained, with a new roof to be constructed above it. The proposals also incorporate some elevational changes including alterations to the windows and the insertion of new doors to the front of the property, which are principally to allow access to the flats. A new high level window will also be introduced to the western elevation at first floor level in place of the larger existing window.

4. The development would utilise the existing car park to the southern side of the building which is within the control and ownership of the applicant, with the proposals providing for 6 allocated spaces for the 5 flats at a ratio of 1 space per 1-bed unit and 2 spaces for the 2-bed unit, with the remaining 4 spaces being left unallocated for the use of the commercial premises and visitors. The current access arrangements to this car park from the High Street, as well as through it to the adjacent properties, would remain unchanged.
5. The proposals have been amended during the course of the application process with the overall number of residential units being reduced from the 6 originally proposed to the 5 for which permission is now sought. Additionally, a first floor extension which had been proposed to the western side of the building has been removed from the scheme, with the extensions to the rear having also been notably reduced in their scale and size.

The site and its surroundings

6. The application site is comprised of a single building known as the 'St Andrews Buildings', a two-storey pitched roof property accessed from the High Street and which lies at the northern extent of the Hamble Conservation Area. The building is finished in predominantly light coloured render to its front elevation with a small section of buff brick to the upper storey at its eastern end. Buff brick is also utilised on the side gable-ends of the property, with red brick to the rear. The building is currently laid out as commercial units at ground floor level, with this comprising of a barber shop and hair salon which are still trading, as well as a now-closed restaurant which had also occupied part of the first floor. The remainder of the first floor incorporates a single residential flat which is accessed via an external staircase to the rear of the building, as well as a small storage room.
7. The building has had a number of previous additions, which notably include single and two-storey extensions to the rear which are a mixture of flat and pitched roof designs. There is a car parking area to the front (southern side) of the property which is accessed and egressed via the High Street. Vehicular access to the dwellings in St Andrews Gardens, an adjacent third party garage, as well as Hamble House Lodge, identified as an unlisted building of local importance in the Council's Local Plan, is also provided via this car parking area.
8. In addition to the aforementioned residential properties, the site is bordered by further dwellings within Cirrus Gardens to the north, as well as The Mercury Library and Community Hub to the east which also incorporates two residential flats at its first floor level. The immediate surrounding area is predominantly residential in character, with this being interspersed with community and other

uses (for example, Hamble Village Memorial Hall and St Andrews Church). Hamble Square lies further to the east.

Relevant planning history

9. The planning history on file for the application site is as follows:

- WIR197 – The use of a store for the sale of fried fish and chips – PERMIT (1948)
- WIR171/A – The display of advertisements – CONSENTED (1956)
- WIR10624 – The use of surgery as upholstery repair business – PERMIT (1963)
- WIR10894 – Change of use from dental surgery to retail electrical shop and service office – PERMIT (1963)
- A/17494/000 – Advertisement at 7 St Andrews Buildings – CONSENTED (1977)
- Z/18197/001 – Single storey extension – REFUSED (1980)
- Z/18197/002 – Change of use of betting office to restaurant extension – PERMIT (1980)
- A/30917/000 – Erection of illuminated pole sign – CONSENTED (1988)
- Z/31881/000 – Change of use from retail shop to restaurant – REFUSED (1990)
- L/28225/001 – Demolition of 7 and 8 St Andrews Buildings (Demolition of buildings in conservation areas) – REFUSED (1991)
- C/32717/000 – Single storey rear extension with shop front alterations – PERMIT (1992)
- C/31881/001 – Change of use from shop to restaurant – PERMIT (1992)
- A/23/95727 – Proposed signage change to existing shop front – CONSENTED (03 October 2023)

Summary of representations received

9. A total of 6 letters of representation were received in relation to the plans as originally proposed and which incorporated 6 flats and more extensive additions to the rear and western sides of the property. These representations raised the following concerns and objections:

- Loss of parking for the library and community hub and that this may potentially restrict its use for visitors.
- Impacts of a lack of / loss of public parking and the potential for obstruction to occur for neighbouring properties as a result.
- The impact of the proximity of car parking spaces to residential units.
- Allocated parking should be provided for residents to resolve any future disputes.
- Clarification is needed in respect of the proposed surfacing of the car park area.
- The properties in St Andrews Gardens have access rights across the car park and these need to be maintained.
- Access for emergency vehicles also needs to be maintained.

- The potential impact of the additional parking bay on the access to St Andrews Gardens.
- The window for the bedroom of Flat 1 should be a high level obscure glazed window to avoid compromising the surroundings for the properties in St Andrews Gardens.
- Impacts arising from the extensions to the building on the amenity of the occupiers of the neighbouring residential dwellings to the north (within Cirrus Gardens) and west (within St Andrews Gardens) by way of overbearing and oppressive physical and visual impacts, loss of outlook, overshadowing and loss of light, and loss of privacy.
- Smells and potential health impacts arising from the location of the proposed bin store adjacent to neighbouring residential boundaries.
- The design of the rear and side extensions being out of keeping with the character of the main building.
- The internal floor areas of the flats are very close to the minimum required standards. Will this be checked during construction and what are the implications if it turns out they subsequently don't meet the requirements?
- The site is within proximity of the BP Oil Terminal – will the Council consult the Health and Safety Executive (HSE) on the proposals?
- The submission states that there are no trees or hedges that could be impacted by the proposals, however, there are trees on/within neighbouring borders/gardens.

10. Following a period of reconsultation on the amended plans, no further representations were received in relation to the application.

Response to representations

11. The majority of the issues raised are covered in the below sections forming the assessment of the proposals, however, in response to some of the other matters raised:

- In terms of the reference made to the proximity of the development to the BP Oil Terminal, the site lies outside of the relevant consultation zone and there is, therefore, no requirement for the HSE to be consulted on the planning application.
- In terms of the question concerning compliance with the Nationally Described Space Standards, a condition (Condition 1) is recommended to require compliance with the submitted plans and the development, therefore, would be required to be carried out in accordance with these details. This includes in respect of the size and layout of the residential units.
- The surfacing of the car park as well as the number of car parking spaces will remain as existing, with only the allocation of the spaces proposed to be changed.
- Whilst it is acknowledged that there are some trees near to the application site, there are none on the site itself, with any trees within neighbouring land being considered to be a sufficient distance away such that they would not be impacted by the proposals.

Consultation responses

Hamble-Le-Rice Parish Council

12. The Parish think this is a good opportunity for affordable housing, however, would like the out of sight provision for residential bins to be clearly outlined within this application as well as residential parking.

Ecology – No objection subject to conditions

13. I have reviewed the Bat Report by Hampshire Ecological Services (July 2024). A dusk emergence survey was done in July 2024. No bats were seen emerging or re-entering the building, but there was some bat activity in the area.
14. The following informative should be added to the decision notice: 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.
15. The lighting guidelines provided in section 5.5.2 must be implemented if any exterior lighting is to be added. Bird nesting boxes are recommended as biodiversity enhancements in section 5.53 as required in accordance with Local Plan policy DM11 and NPPF paragraph 180. The locations of these boxes are shown in Section 6 figure 5.

Planning Policy – No objection

16. The site is partly in commercial use and the proposals include the partial change of use of some units to residential. It is not within a local centre or neighbourhood parade and therefore Local Plan policies on the change of use in retail frontages do not apply. However, the residential amenity of the new residents is a consideration, particularly for the new ground floor flats adjacent to the existing commercial units. In accordance with policy DM1, there should be no unacceptable impact on residential amenity from the proposal.
17. The site is identified as unlisted in the Hamble-le-Rice Conservation Area Appraisal. The strategic approach to heritage assets is set out in Local Plan policy S8. This involves conserving and enhancing heritage assets in a manner appropriate to their significance. There are no listed buildings in close proximity to St Andrews Buildings, although the appraisal identifies Hamble House Lodge to the south as an important unlisted building. In accordance with the detailed policy in DM12, development within a conservation area 'will be permitted provided it does not harm or detract from the significance or special interest of the asset, and sustains and enhances its special character and qualities'. The proposal brings back into use units that are currently vacant and retains the existing commercial units still in use. The addition of a new dormer window to the frontage facing the High Street reflects the existing building frontage. Providing that the case officer is satisfied that the detailed design does not

harm the Conservation Area or have an unacceptable impact on residential amenity, Planning Policy does not object to this development

Conservation Officer – No objection subject to consideration of comments

18. Situated on the northern boundary of the western arm of the Hamble Conservation Area this building stands back from the High Street as one enters the core of the village with parking in-front and Hamble House Lodge, noted as an important unlisted building, sitting to the left very close to the main road.
19. To the right of the car parking forecourt is the relatively new Mercury Library and Community Hub finished in weatherboarding over render with a slated roof. The application site itself faces the road and currently consists of two occupied commercial units plus a vacant restaurant at ground floor level with a flat and storage spaces above.
20. From a building conservation perspective, the principle of the proposed changes is no problem as are most of the building alterations, however the front ground floor is looking like a slam-door railway carriage with so many front doors lined up. There must be an alternative solution to avoid this scenario.

Hampshire County Council Highways – No objection subject to conditions

21. In regard to application F/24/97159, following on from the previous HCC Highway consultation response, it is understood that the development description has been updated, and additional plans provided. Having reviewed this new information, there would remain no objection in principle to the application from a highway perspective.
22. Access in and out of the site from the highway is to remain as existing, which is acceptable, and servicing is anticipated to continue with the current arrangements for elements such as refuse collections. As previously outlined, it is noted however that bin stores are to the rear of the property, and as such will require a drag around the building. It is not clear whether this will be undertaken by residents and business owners, or the refuse vehicle operatives. The Case Officer may wish to clarify this.
23. In terms of car parking, the layout remains acceptable with adequately sized parking bays and aisle widths. It is also noted that the residential provision now accords to the unallocated EBC Parking Standards (1 space per dwelling plus 2 visitor bays), however the commercial parking for 3 vehicles is potentially low for the two commercial units. Whilst there is formal roadside parking and restrictions to try and reduce the potential for obstructive off-site parking, there are also the parking needs of the Mercury Library and Community Hub to consider. In this regard, the Case Officer may wish to ensure the overall on-site parking provision is fully catered for, utilising the 'draft' EBC Parking Standards for both residential and commercial use on site.
24. In terms of cycle parking, as outlined in the previous consultation response, it is noted that a structure has been provided to the rear of the site, and this is

acceptable. However, no details of capacity or security measures, or even if it is an enclosed structure have been provided. Details of this should be requested either as part of this application, or via a condition.

25. Finally, given the site is a shared site with other residential and commercial uses, it would be recommended that a Construction Site Management Plan is provided by the applicant to demonstrate elements such as storage and welfare space, delivery details and contractor parking. It would be requested that this be secured via condition.

Southern Water – No objection

26. Southern Water highlighted the presence of an existing foul sewer in the vicinity of the site and the required easements and construction restrictions in relation to this. They also advised that a formal application for any new connection to the public foul sewer would require a formal application to be made by the developer to Southern Water.

Environmental Health – No objection subject to conditions

27. The development process itself may create potential impacts from construction noise. Typically, restricting the hours of construction activity to reasonable hours by condition will mitigate against the worst impacts. EBC will have a standard approach to acceptable working hours.
28. From a brief review of photographs of the site and the set-back distance, I expect that transportation noise will not be so significant to require any particular mitigation measures. I do not necessarily recommend it; but if this is contentious, it could be verified by an acoustic assessment.
29. My main concerns relate to the relationship between residential units and commercial units described as class E and this raises several potential issues. First regarding the existing pattern of use, it appears that part of the ground floor was/is occupied by an Indian restaurant/take away business. This will likely have a cooking extract system. If this is to be retained the potential risk of both cooking odour and plant noise from the fan would need to be assessed to consider if the impact would be acceptable. Further guidance can be provided if this is what is proposed.
30. Second, the Use Class E is very wide indeed in scope and not all uses are equally compatible with residential use. The most problematic uses in respect of noise impact upon amenity tend to be as follows (with brief comments):
 - a. Use E(b) in particular; public houses by virtue of clientele noise; late night operation and live music. Restaurant use by virtue of cooking extract systems especially where space has not been provided in the design for the later installation of a high level terminus for the cooking extract system to disperse odours. Fixed plant noise may be an issue.

- b. Use E(d) in particular gyms can involve evening and early morning activity; loud music and most problematically, the creation of impact noise transmitted through the party structure from the dropping of heavy weights.
- c. Use E(f) can sometimes be problematic especially for large sites where outdoor space is provided. I suspect however, that the need for such space may make this location unsuitable for this type of use.
- d. More generally the installation of fixed plant in all categories of use.

The simplest solution may be to withhold consent for E(b) and E(d) and to condition any consent to require prior approval of the installation of any fixed plant or machinery.

- 31. If uses E(b) and E(d) are to be permitted, then at the least, the sound insulation provided between the dwellings and the commercial units should achieve a much higher standard through Building Regulations. This may somewhat reduce the risk of incompatible uses arising provided that flanking transmission through the building is not a significant problem. The issues involved would require specialist advice. Designing the building to be suitable for all possible Use Class E purposes will likely require a more onerous fitout, and is not justified if less problematic uses such as retail outlets and the like are ultimately what is really intended.

Policy context: designation applicable to site

- Within the Urban Edge
- Within Hamble Conservation Area
- Within Habitats Regulations Assessment (HRA) Screening Area

Legislative provisions, development plan policies, SPD's and National planning policy

Legislative provisions

- 32. 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.
- 33. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2)3, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The Development Plan

- 34. The Development Plan is comprised of the Policies of the adopted Eastleigh Borough Local Plan 2016-2036. The relevant policies to this application are: S1 (Delivering sustainable development), S5 (New development in the countryside), S8 (Historic environment), DM1 (General criteria for new

development), DM2 (Environmentally sustainable development), DM3 (Adaptation to climate change), DM8 (Pollution), DM11 (Nature conservation), DM12 (Heritage assets), DM13 (General development criteria – transport), DM14 (Parking), DM21 (New retail development), DM23 (Residential development in urban areas), DM30 (Internal space standards for new residential development).

Supplementary planning documents / associated guidance

- Quality Places (November 2011)
- Residential Parking Standards (January 2009)
- Emerging Parking Standards (Consultation Draft July 2023)
- Hamble Conservation Area Appraisal (August 2008)
- Environmentally Sustainable Development SPD (March 2009)

National planning policy and guidance

35. The latest iteration of the National Planning Policy Framework (the NPPF or Framework) was published in December 2023 and, as set out within paragraph 224, the policies contained within it are material considerations which should be taken into account in dealing with applications from the day of its publication. The Planning Practice Guidance provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

Assessment of proposal

Principle of development

36. The site lies within the urban edge where the basic principle of development is considered to be acceptable. Additionally, and whilst noting that the development would result in the loss of a commercial unit and a degree of ground floor shop frontage, the site falls outside of any designated local centre or neighbourhood shopping parade and, as such, this use is not protected in planning policy terms. The unit is also currently vacant and the proposals would therefore see the building be fully brought back into use by way of a development which would make more efficient use of the land available, and which would contribute, albeit to a modest degree, to housing supply within the borough.
37. The principle of a mixed use residential and commercial development is therefore considered to be acceptable and, in general terms, would be compatible with the nature of the surrounding uses. Any planning approval is, however, subject to the specific development proposed according with the relevant national and local planning policies and associated guidance, which includes in respect of its layout and design, as well as its impacts on the character of Hamble Conservation Area, upon residential amenity, highway safety and ecology. These matters, along with the other relevant planning material considerations to the application are considered in the sections below.

Layout, design and impact on the character of the area

38. Policy DM1 of the Local Plan, amongst other things, requires that development takes full and proper account of the context of the site, is appropriate in layout, scale, density and design, and that it should not have an unacceptable impact on, and where possible should enhance, the character and appearance of the area. Policy DM12 states that the development will be permitted provided that it does not harm or detract from the significance or special interest of a heritage asset, and sustains and enhances its special character and qualities. These requirements are consistent with Paragraphs 135 and Part 16 of the NPPF. The Council's Quality Places SPD and the Hamble Conservation Area Appraisal document provide further context and guidance in these respects.
39. The site is comprised of a single, two-storey, pitched roof building which lies to the northern side of the High Street and falls within the boundary of the Hamble Conservation Area. The building, although in some respects appearing somewhat tired, is of an attractive design and appearance and incorporates a number of pleasant architectural features, particularly to its front elevation. Whilst set in a recessed position from the highway, the open aspect to its frontage provided by the car parking area and limited boundary treatment, results in the property still having a notable sense of visibility and prominence as seen within the street scene.
40. The proposals incorporate the construction of a single and two-storey extension to the rear of the building, with the addition of a new roof to the existing side projection to its western side, and elevational changes to the property in respect of its windows and doors. As seen from the front, the changes will be particularly limited in nature with the re-roofing of the side projection largely maintaining its pitch and form as viewed from its southern side, albeit with a different roofing material to be used (concrete tiles to match the main building), and the alterations to the windows and doors, which have been scaled back in response to the Conservation Officer's comments, being relatively modest in their extent. The proposals will therefore have a notably limited impact on the principal elevation of the building and how it is viewed from the primary public aspect of the High Street, as well as in respect of its relationship with the adjacent building of local importance, Hamble House Lodge, which will largely be maintained as existing.
41. The more substantive changes proposed occur to the rear of the property, which presently appears somewhat untidy in terms of its appearance and physical condition with it having been subject to a range of previous additions of varying form and scale, some of which are in an obviously poor state of repair. Their removal and replacement with the extensions proposed, which are both proportionate in scale and complementary in design, will therefore result in a marked improvement to the condition and appearance of this part of the building. The changes to the roof of the existing side projection to the building's western side, whilst increasing its massing to a degree, are also considered to be acceptable and will serve to rationalise its form and appearance, with it currently being subject to three different types of roof covering.

42. These alterations, whilst notably less prominent from the High Street, do still nonetheless have a degree of public visibility, with this including from the entrance into St Andrews Gardens, as well as from other neighbouring dwellings and buildings to the north, east and west of the site. Taking account of the above factors, it is considered, that they will collectively serve to significantly improve the appearance of the building from these aspects and, overall, that the development will enhance the character of the application property and this part of the Hamble Conservation Area, whilst at the same time bringing a partially vacant building back into active use.
43. The application is therefore considered to comply with Policies DM1 and DM12 of the Local Plan, paragraph 135 and Part 16 of the NPPF, as well as the guidance within the Council's Quality Places SPD and the Hamble Conservation Area Appraisal.

Residential amenity

44. Policy DM1 of the Local Plan requires that new development should not have an unacceptable impact on, and where possible should enhance, residential amenities of both new and existing residents, whilst Paragraph 135 of the NPPF states that planning decisions should ensure that development provides a high standard of amenity for existing and future users. The Council's adopted Quality Places SPD provides additional guidance in relation to amenity in support of Policy DM1.
45. When assessing residential amenity, there are two main considerations, with these being the quality of the residential environment that would be provided for the future residents of the development, as well as the impacts of the proposals on the amenity of the occupiers of existing neighbouring properties. These matters are considered in turn below.

Amenity of the future occupiers of the development

46. The residential units proposed would all meet the requirements of the Nationally Described Space Standards in accordance with Policy DM30 of the Local Plan and would thereby provide sufficient space for residents to live comfortably. Habitable rooms would also achieve a suitable degree of privacy and be generally well served by light and outlook, acknowledging that there would be a degree of compromise in the latter respects within the bedroom of flat 1 which has its main window proposed to be obscure-glazed. Whilst this is not the most ideal arrangement, it is necessary to protect the privacy of its future occupiers. The window would also be supplemented by a Velux window within the roof slope immediately above which would allow extra light into the room and an additional degree of outlook. Taking account of this and that the room is a bedroom, this is not considered to be an unacceptable arrangement in this particular instance.
47. In terms of exterior space for the flats, the Council's Quality Places SPD sets out a general requirement for 3sqm of private and 25sqm of communal space per unit, however, it goes on to state that these requirements may be waived if

a flatted development is adjacent to useable recreation space or is within an area of very good local facilities. In this case, external amenity space is proposed to be provided for two of the ground floor units which, whilst to the building's northern side and enclosed by the application building and adjacent neighbouring structures/outbuildings, does provide for private space where the residents of these flats can sit out and have access to the outdoor environment. Whilst the remaining three flats would not have any outdoor space, the site is well located in terms of having a number of recreational walks, spaces and facilities in relatively nearby proximity. As such, and taking account of the aforementioned guidance within the Quality Places SPD, this is considered to be acceptable.

48. Finally in terms of the future occupiers of the development, the matter of the compatibility of the residential and commercial uses within the building has been raised by the Council's Environmental Health Officer (EHO). No changes are proposed to the commercial units which are to be retained and which currently have Class E use. The units are presently occupied by a barber's shop and a hair salon. Class E however covers a range of commercial, business and service uses as noted by the EHO, albeit contrary to their comments this does not actually include public houses which are a *sui generis* use (class E(b) relates to café and restaurant uses).
49. In addition to cafes, restaurants and retail, Class E also covers financial and professional services; sport, recreation and fitness uses; medical and health services; creches and day nurseries; as well as office, research and development, and light industrial uses (where these can be carried out in a residential area without detriment to amenity). Whilst this is a wide range of potential uses and theoretically some of these could impact upon amenity, the units are particularly modest in size and are therefore likely to be very much self-limiting in terms of the type of occupiers and uses that they would attract.
50. In addition, the building is already in mixed commercial and residential use with a single apartment presently directly above the two existing commercial units which would continue to be the case as part of the proposals, albeit with a revised internal layout. The communal staircase providing access to the upper floor flats is also positioned between the commercial uses and the closest ground floor apartment (Flat 3) which would provide for a degree of separation between uses and limit any potential disturbance. Further, the matter of the possible installation of any external plant in future which is referenced by the EHO can be covered by condition. Taking account of each of the above factors, it is considered that an appropriate relationship would be able to be achieved between the proposed commercial and residential uses.

Impacts on the amenity of the occupiers of neighbouring properties

51. Given the siting of the proposed extensions and alterations to the building, the principle matters for consideration relate to the relationship with the dwellings to the north (within Cirrus Gardens) and west (within St Andrews Gardens), with it being considered that sufficient separation is afforded to other nearby properties, including Hamble House Lodge and the flats within the Mercury

Library and Community Hub building, such that the amenity of their occupiers would not be unduly compromised.

52. In terms of the aforementioned properties, the development as originally proposed had raised some concerns in respect of the impacts upon the occupiers of some of these dwellings. The initial scheme had incorporated a much larger two-storey extension to the rear of the building which, it was considered, had the potential to be overbearing to the occupiers of No. 26 Cirrus Gardens in particular given the proximity to the shared boundary, as well as to cause an unacceptable level of overlooking into their private amenity area and rear habitable windows. In addition, the first floor extension to the western side of the property, as a result of its scale and siting relative to the front elevation of No. 1 St Andrews Gardens, would have been somewhat visually oppressive for its occupiers as viewed from their ground floor living room window, and would have unduly reduced the levels of light and outlook available from this primary habitable space.
53. In order to address this, the first floor side extension has been removed from the proposals with the current single storey side projection to be maintained and re-roofed which would result in only a very modest increase in its scale. The extensions to the northern side of the building have also been notably reduced in size and scale with these now having a fully hipped roof design and being part single and part two storey in height (as opposed to all being two-storey), with the taller element being set furthest from the neighbouring building (26 Cirrus Gardens) alongside the rearmost part of their garden. The hiping of the roof of the two-storey aspect also assists in limiting any impacts of this addition on the properties within St Andrews Gardens to the west.
54. The number of new first floor windows within the rear extension has also been reduced, with this now comprising of a single bedroom window within Flat 5 which would be set at a higher level and supplemented by a privacy screen to its eastern side to restrict views towards No 26 Cirrus Gardens and its primary amenity area. The final details of this screen can be covered by condition to ensure that its appearance and functionality is appropriate for its purpose. Overall, the revisions to the proposals are considered to be acceptable from an amenity perspective and the development creates an appropriate arrangement with neighbouring dwellings in planning terms.
55. Finally, and in respect of the construction phase of the development, whilst acknowledging that demolition and construction works can cause a degree of disruption during their undertaking, given the close proximity of the application site to neighbouring properties, it is considered necessary and reasonable to seek to control and limit these impacts as far as reasonably practicable. Conditions will therefore be imposed to restrict working hours, to prohibit and on-site burning, and to require the submission of a Construction Environment Management Plan (CEMP) for approval by the Local Planning Authority prior to the commencement of development.
56. With the amendments that have been made to the proposals and the imposition of the aforementioned conditions, the development is considered to accord with

the requirements of the relevant national and local planning policy requirements and associated guidance as referenced above in respect of the matter of residential amenity.

Highway matters

57. Policy DM13 of the Local Plan requires that all new development has safe and convenient access to the highway network and makes provision for access to, and by, other transport modes including public transport and cycle and pedestrian routes as appropriate. Access arrangements to the highway network must meet national and local guidance and standards, not cause or increase danger to road users or impact detrimentally on highway safety, and be provided without unacceptable environmental impact. Policy DM14 requires that an appropriate level of car parking be provided in accordance with the Council's Residential Parking Standards SPD. These policy provisions are considered to be consistent with the requirements of Section 9 of the NPPF.
58. Given the modest scale of the development and the former commercial use (a restaurant) of the substantive part of the building that is proposed to be converted to residential apartments and the number of vehicle journeys that this would have generated, it is not considered that the proposals will have a notable material impact on traffic levels or the functionality of the highway network in the local area and no objection has been raised in this regard by the Highway Authority.
59. In terms of access to the site from the public highway, this is to remain as existing from the High Street to the south. This is considered to be sufficient for the development proposed and conforms to the required standards in respect of visibility and design. Whilst private rights of access are in themselves a civil matter, the current vehicular access arrangements to the adjacent properties including Hamble House Lodge, the dwellings within St Andrews Gardens and the third party garage adjacent to this, which are each through the existing car park, will be maintained as part of the proposals.
60. In terms of the layout of the car park, this will physically remain as existing and is considered to be acceptable with adequately sized parking bays and aisle widths provided to allow vehicles to manoeuvre appropriately. It is only the designation of the 10 formal spaces within the car park that is therefore proposed to change. For clarity in this respect, whilst the Highway Authority's latest comments reference unallocated parking provision for the residential units and there being 3 spaces for the commercial units and visitors, the parking is in fact now proposed to be allocated for the 5 flats at a ratio of 1 space per 1-bed unit and 2 spaces for the single 2-bed unit, with there then being 4 remaining spaces being left unallocated which would be available for the use of the commercial premises and visitors.
61. The Council's current adopted Residential Parking Standards SPD (January 2009) requires that 2 spaces per 1 and 2 bed unit be provided where allocated provision is proposed. Whilst the proposed parking would fall below this level, the Emerging Parking Standards SPD which will ultimately replace this

document and which is referenced by the Highway Authority in their comments, does propose to reduce the required level of provision for 1 bed units to a single space which would be achieved in this case. Whilst the Emerging SPD is unadopted at this stage, it has been subject to public consultation and therefore can attract a degree of weight, albeit limited, in the assessment of the application. In addition to this and notably, the site is within a sustainable location with access to a range of facilities by sustainable modes of travel and, taking account of this, the level of parking provision proposed for the residential units is considered to be acceptable.

62. With respect to the commercial parking provision, the Council does not currently have any adopted standards and therefore each application is considered on a case-by-case basis. Using the aforementioned Emerging SPD as a guide however, the level of provision proposed is considered to be appropriate. The two commercial units that would remain as part of the proposals are currently in use as a barbers and hair salon which, within the emerging standards, would constitute 'non-food and general retail uses' the standard for which is 1 space per 20sqm of floor space. The two units combined have a floor area of approximately 50sqm which would generate a requirement for 3 spaces and, as such, the 4 that are proposed is considered to be acceptable.
63. In addition to the above, the matter of parking provision for the adjacent Mercury Library and Community Hub has also been raised, this being by both the proprietors of the Hub building itself as well as by the Highway Authority within their comments on the application. The development of the Library and Hub included no on-site car parking provision for the community use or the two flats above it, and although reference was made within the planning application submission for the building (Ref. C/17/80613) to the adjacent 'communal' parking, the applicant has advised that the car park is within their private ownership and control which is consistent with the Land Registry title documentation for the site.
64. Any previous or current usage of the car park by the Hub facility is therefore understood to have been informal and allowed at the discretion of the site owner, rather than being by way of any legal right of use. As such and whilst acknowledging that the allocation of some of the spaces for residential use may reduce the parking that has previously been informally available to the Hub, there is nothing in planning terms that protects this, or which would require parking to be provided for their usage as part of the development. Notwithstanding this, however, the applicant has stated that users of the Hub can, on a first come first served basis, continue to informally utilise the 4 unallocated commercial parking spaces which would be provided. This, however, would be a private arrangement and not something that the Local Planning Authority could control.
65. In terms of cycle storage, provision is proposed to the rear of the block as shown on the submitted site layout plan. Whilst the final details of this storage have not been provided at this stage, there is adequate room to provide sufficient space for the level of storage required (1 cycle per residential unit)

and the design and access statement submitted confirms that this will be both covered and secure. The final details of the exact type of store can be covered by condition. In terms of servicing and refuse storage, the applicant has advised that this will remain as per the existing arrangements which serves the current commercial uses and residential apartment, with bins being sited to the rear of the building, although a formal bin store/enclosure will be provided as part of the proposals. Again, the final details of this can be covered by condition.

66. Finally, and with regards to demolition and construction, a condition will be imposed to require the submission of a Construction Environmental Management Plan (CEMP) for approval by the Local Planning Authority prior to the commencement of development, with this being required to cover such matters as contractor parking and arrangements for deliveries etc., with this being in the interests of highway safety and amenity.
67. Taking account of the above factors, the development is considered to be acceptable in highway terms and in this regard the application thereby complies with Policies DM13 and DM14 of the adopted Local Plan and the relevant provisions of the NPPF.

Ecology

68. Policy DM11 of the Local Plan states that the Council will determine planning applications to protect, conserve and enhance all international, national and local nature conservation designations and networks of natural habitats and features, and facilitate their adaptation to climate change wherever possible. It also seeks a net gain for biodiversity on development sites and sets out that development will not be permitted where it is likely to have a direct or indirect adverse effect on protected or priority species unless there are no alternative solutions, the adverse effects are unavoidable, measures are taken to mitigate or, as a last resort, compensate for the adverse effects, there is overall biodiversity net gain, and the benefits of the development clearly outweigh the adverse effects. These requirements are consistent with Paragraphs 180 and 186 of the NPPF.
69. The application is supported by a Preliminary Bat Roost Assessment which had identified that there were several potential bat access points into the single storey roof voids on the western and northern elevations of the building, as well as some exterior potential roost features. Taking account of this, as well as the location of the site within a built-up area which is subject to artificial lighting, the assessment had classified the building as having low bat roost suitability and, accordingly and in line with best practice, a bat emergence survey was required to be carried out to confirm the presence or likely absence of roosting bats. This survey has been submitted during the course of the application process and, whilst it identified some bat activity in the area, no bats were seen emerging or re-entering the building. The survey also concluded that no impact to commuting and foraging bats (and hence bat populations in the local area) is anticipated.

70. The Council's Ecologist has reviewed the submitted reports and has raised no objection in relation to their findings, with an informative having been recommended advising that work should cease and Natural England be notified in the unlikely event that any evidence of bats is subsequently found during construction. Whilst the application was submitted prior to the mandatory 10% biodiversity net gain (BNG) requirement being introduced such that this is not applicable in this case, there nonetheless remains a local plan policy requirement (DM11) for a net gain to be provided. A condition is also therefore recommended to require that the ecological enhancements proposed within the submitted survey are carried out in order to achieve this. Whilst no exterior lighting is proposed as part of the application, the condition (Condition 3) which stipulates that a Construction Environmental Management Plan (CEMP) must be submitted for approval by the Local Planning Authority prior to the commencement of development, incorporates a requirement for any construction lighting to adhere to the precautionary measures set out within the submitted Bat Report.
71. With these conditions, it is considered that the application will not unduly impact upon protected species and will achieve the requisite biodiversity net gain. The proposals therefore comply with the requirements of Policy DM11 of the Local Plan and paragraphs 180 and 186 of the NPPF in these respects.

Nitrates impacts

72. 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 on any European protected sites and specifically in this case upon the European protected Solent Complex (SPA, SAC and Ramsar sites) and New Forest SPA, SAC and Ramsar sites.
73. HRA (Habitat Regulations Assessment) Screening was required for this development as it falls inside the zone of impact of these designated sites and would result in a net increase in population. The screening concluded that the development could have a significant impact on the protected sites and the features for which they are designated through an increase in recreational pressure (in the case of both of the aforementioned sites), as well as from additional nitrogen loading generated through leaching from additional sewage from the new housing in the case of the Solent Complex. This has the potential to undermine water quality and restrict the growth, distribution and variety of food available for species designated under European law. These impacts are required to be mitigated as part of the development proposals.
74. The applicant has proposed to utilise the Council's adopted mitigation schemes as a means of offsetting the impacts of the development in respect of nitrate loading in the Solent and recreational pressure on the New Forest protected sites. Contributions will also be required to be made to the Solent Recreation Mitigation Project with regards to recreational pressure on the Solent Complex. The requisite mitigation will need to be secured by way of a combination of conditional requirements (in respect of nitrates mitigation), as well as up-front payments under S106 of the Town and Country Planning Act 1990 with regards

to recreational pressure. These would need to be made prior to the granting of planning permission.

75. In addition, and in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017, a Habitats Regulations Appropriate Assessment has been undertaken by the local planning authority to set out the potential effects on the European protected site and detail the aforementioned mitigation measures proposed to address these, with comments being awaited from Natural England on this. The recommendation is therefore subject to the receipt and consideration of their comments. Subject to this and the mitigation measures being appropriately secured, the application is considered to comply with Policy DM11 of the Local Plan, Paragraphs 180 and 186 of the NPPF, and the requirements of the Habitats Regulations.

Environmentally sustainable development and climate change

76. 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.
77. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. Neither the NPPF nor the adopted Local Plan 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 national and local planning policy. The need to support the economy is part of the Strategic Environmental Assessment for the Local Plan, as is an assessment of climate impacts.
78. 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. In this particular instance and when considering the impact of climate change, the proposed development would be expected to be resilient to its potential effects, with the efficiency of the building to be improved in line with modern day building regulation requirements which will apply to the extensions and the conversion to residential use, and the development also introducing an electric vehicle charging point as part of the proposals.

Equalities implications

79. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states that:

(1) 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; and
- (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.

80. It is not considered that this application raises any equality implications.

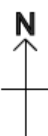
Other material considerations

81. None.

Conclusion

82. In conclusion, the development is considered to be acceptable in terms of its layout and design, and achieves the balance advocated within national planning policy of making efficient use of land, whilst at the same time respecting the character and heritage of the area and securing well-designed, attractive places. The development is also acceptable in terms of its highway impacts, as well as in respect of ecology and residential amenity, and will make a positive contribution, albeit modest, to the borough's housing supply.
83. Overall, therefore and subject to the receipt and consideration of the outstanding comments from Natural England and the applicant making appropriate provision to secure the requisite contributions to mitigate the recreational impacts of the development on the Solent Complex and New Forest protected sites, the proposals comply with local and national planning policy provisions and are considered to constitute sustainable development.

F/24/97159



Address: ST ANDREWS BUILDINGS, HIGH STREET
HAMBLE-LE-RICE

Date: 23/08/2024 | Scale: 1:1250

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Bursledon, Hamble-le-Rice and Hound Local Area Committee – Thursday 5th September 2024

Application Number: F/24/97376
Case Officer: Gary Osmond
Received Date: Thursday 9th May 2024
Site Address: Cherry Court, Salterns Lane, Bursledon, Southampton, SO31 8DH
Applicant: Mr P Reilly
Proposal: Construction of 7 bedroom detached dwelling over three levels and associated landscaping following demolition of existing dwelling.

Recommendation: PERMIT
Subject to no material objections from outstanding consultees.

CONDITIONS & REASONS:

- 1) The development hereby permitted shall be implemented in accordance with the following plans numbered: LOC007, JD_126_SL01 Rev C, JD_126_SL02, JD_126_FP.01B, JD_126_FP.02B, JD_126_FP.03B, JD_126_ELEV.01B, JD_126_ELEV.02B, JD_126_ELEV.03A, JD_126_ELEV.04A, JD_126_Sect.01 AA_Rev C, JD_126_Sect.02 BB_Rev C & JD_126_Sect.05 EE_Rev B.
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) No development shall start until construction details of the following design elements and details (and samples where requested) 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:
 - a) external facing materials including roof covering;
 - b) window/door frames and glazing specifications;
 - c) rainwater goods;
 - d) balcony frames, balustrades and undersides;
 - e) external timber screens/shutters;
 - f) glazing and louvered fins to central element to the southern elevation;
 - g) living wall/screen to eastern balcony elevation;
 - h) planting beds to upper ground floor garden terrace; and
 - i) photovoltaic panels and any other external plant.

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) Notwithstanding the information submitted to date, no excavation, demolition or development related works shall take place on site until an arboricultural monitoring statement proposal, detailing supervision activity and inspections of tree protection measures, has been submitted and approved by the LPA. The approved arboricultural monitoring statement proposal must be adhered to in full and may only be modified subject to written agreement from the LPA. This condition may only be fully discharged upon completion of the proposed development, subject to submission of monitoring reports.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

- 5) The development must accord with the arboricultural report reference J1418.06. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the tree protection plan contained within the report. 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.

- 6) No demolition or construction work shall start until a Construction Environment Method Statement has been submitted to and approved in writing by the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:

- a) location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;
- b) arrangements for the routing/ turning of lorries and details for construction traffic access to the site;
- c) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway [including vehicle crossovers and grass verges].
- d) the parking of vehicles of site operatives and visitors;
- e) measures to control the emission of dust and dirt generated by demolition and construction;
- f) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
- g) provision for storage, collection, and disposal of rubbish from the development during construction period;
- h) measures to prevent mud and dust on the highway during demolition and construction;
- i) temporary lighting; &
- j) protection of pedestrian routes during construction.

Reason: To limit the impact the development has on the amenity of the locality.

- 7) No demolition or construction work shall take place, including site clearance, until an Ecological Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
- a) measures to protect bats and other protected species, including Great Crested Newts, during site clearance and demolition works;
 - b) measures to ensure wildlife does not become trapped in excavations;
 - c) measures to protect against chemical/fuel spills; and
 - d) measures to prevent contamination of surface water leaving the site.
- Reason: To protect wildlife and their habitat
- 8) No development shall start until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard & soft landscaping [including trees and boundary treatment] and shall provide details of timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard.
- Reason: In the interests of the visual amenity.
- 9) All hard & soft landscaping, tree planting and boundary treatment shall be carried out in accordance with the approved details and to the appropriate British Standard. For a period of 5 years after planting, any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme.
- Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.
- 10) No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays.
- Reason: To protect the amenities of the occupiers of nearby dwellings.
- 11) No burning of materials obtained by site clearance, or any other source shall take place during the demolition, construction and fitting out process.
- Reason: To protect the amenities of the occupiers of nearby properties.
- 12) The development hereby approved shall not be occupied until privacy screen to the eastern side of the upper ground floor terrace and first floor balcony has been installed. Once installed, the privacy screen shall remain in place.
- Reason: To maintain the privacy of the neighbouring property.
- 13) Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 1995 [or any order revoking or re-enacting that order with or without modification] no development permitted by Classes A, B, C or D of Part 1 of Schedule 2 of the order shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To ensure compliance with local plan Policy BU7 and to protect the amenities of the locality and to maintain a good quality environment.

Environment Act 2021

- 1) The development hereby approved shall not be occupied until details of how the development will achieve a biodiversity net-gain of at least 10%. The base date for measuring this improvement shall be from the date of planning approval and details shall include a timescale for the implementation of the proposed measures. The development shall be carried out in accordance with the approved details.

Reason: To accord with the Environment Act 2021, Schedule 14.

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:

This application has been referred to committee by Councillors Craig and Holes.

Description of Application

1. The application seeks consent for the construction of a new seven bedroom dwelling over three levels, together with associated landscaping, following demolition of the existing dwelling on site. The current proposal being considered is a slightly amended version of what was originally submitted.
2. The application is accompanied by the following reports and technical assessments which can be viewed on the Council's website [here](#) together with the proposed plans and drawings:
 - Design & Access Statement
 - Heritage Statement
 - Landscape & Visual Appraisal
 - Ecological Report
 - Arboricultural Impact Assessment

Site Characteristics and Character of the Locality

3. The application site sits on the outside of the sharp corner halfway along Salterns Lane in a part of the lane which is very mixed in terms of property

sizes, ages and architectural styles. It lies outside the urban edge and is within the Old Bursledon Conservation and Special Policy Areas. Neighbouring development is almost entirely residential in nature, with the surrounding area being made up of predominantly detached dwellings on generous plots separated by mature boundary planting and trees.

4. The application site is triangular in shape, with its northern point being where the site is accessed from Salterns Lane. It follows the natural topography, being fairly level at the northern (top) end of the site before sloping down towards the river in a south-easterly direction. The north-eastern boundary is the longest boundary which runs down the slope to the railway line, which is in a cutting at this point. The boundary is marked by a line of mature trees and shrubs. The south-eastern boundary is formed by the railway line and is open to views towards the River Hamble and the opposite bank of the river. The final western boundary follows a sunken lane which runs down the natural slope, over a railway bridge, to the river where there are a number of houseboats.
5. The existing house is a sizable two storey dwelling originally dating from around the 1960s. It appears to have been extended to the southern end in the early 1970s to form a garage and ancillary annex accommodation. The house is predominantly finished in a cream coloured render with a light coloured stone-clad finish to the lower levels. The roof is of a low pitch and finished in basic concrete tiles. The 'street' side of the dwelling is quite austere in its appearance, having minimal windows and sitting at a slightly lower level than the driveway, following the natural topography of the site. Albeit much of the dwelling is screened from public view by the mature evergreen hedge to the street frontage. The rear elevation in contrast is much more open, with large horizontal windows and a first floor covered balcony, all taking in the views of the river and beyond. Whilst not an unattractive property, it is of no great architectural merit, rather tired in appearance and does little to complement and enhance the surrounding conservation area.

Relevant Planning History

6. The site has very little in terms of planning history, with the most relevant application to that now being considered being a withdrawn application for a similar proposal, albeit of a quite different design.
 - F/23/96152 – Construction of five bedroom detached dwelling over three levels, together with topographical changes to the rear garden, following demolition of existing dwelling – Withdrawn January 2024
 - Z/18534/000/00 – Bungalow and garage – Refused April 1978
 - WIR2033000100 – Alterations and additions – Approved May 1970

Representations Received

7. A total of 13 representations from 12 properties were received to the originally submitted proposals, all but one objecting to the proposals for the following reasons:
 - Size and style of dwelling not appropriate for the conservation area.
 - Would impact views from the river and Salterns Lane.
 - Present building should not be demolished.
 - Design is too boxy.
 - Flat roofs are not characteristic of the area.
 - Proposals are much larger than existing dwelling.
 - Contrary to size limits of Policy BU7.
 - It would set a precedent for similar proposals elsewhere.
 - Urbanisation of the conservation area.
 - Loss of privacy to neighbouring properties.
 - Impact upon trees.
8. The one representation in support of the application is from an immediate neighbour to the application site who highlights that the existing dwelling is in a poor condition and does little to enhance the conservation area. The proposed design will be no larger when viewed from Salterns Lane and will add to the existing mix of design currently visible from the river.
9. Following submission of slightly amended proposals, neighbours were reconsulted but at the time of writing no further comments have been received. The formal re-consultation period ends on 28th August and the committee will be updated on any responses received at the local area committee.

Consultation Responses:

10. **Heritage Consultant** – No objection.
11. “The revised application, while still having three floors, does by clever manipulation give the impression on the street side of only having two, which is further enhanced by the use of two main materials, the lower of which is very dark and thus retreating, looking like a plinth. The lighter main cladding material looks like vertical timber cladding, which is well placed in this wooded environment.
12. Both of the end elevations are well articulated to significantly reduce the apparent bulk of the structure, which certainly appears less than the initial proposal and, in both cases, carries the timber cladding round from the front over the same dark base. The grey panelling of the central projecting emphasis is more evident from these angles, but shadowing and articulation of other elements reduces that impact to acceptable levels.

13. The river-facing elevation is the full three storeys but again is well broken up by a combination of the receding dark plinth topped by generous planting and the upper floors predominately timber shutters, again to provide recession into the wooded surroundings, with just a little grey cladding framing the almost central projecting feature.
14. This proposed replacement dwelling, while modern and not to every one's taste, is a far more appropriate solution than some of the others in the lane over the last twenty years and replaces a previous structure that was of its time but never really fitted in.
15. The generous use of timber is a great help in assisting the building to fit into the wooded surroundings and the apparent size has been reduced to minimise its impact on its environment. No objection."
16. **Landscape** – Comments awaited.
17. **Winchester & Eastleigh Design Review Panel** – (Comments on original submission)
18. "The position of the site and views available from it make it very special, and the desire to maximise these views is acknowledged. It is also acknowledged that the site lies within a part of the Old Bursledon Conservation Area where the scale and architectural style of dwellings is relatively mixed. Notwithstanding, the starting point of any proposal should be a thorough analysis of the site and its context, which should then be used to drive the final design. The Panel were glad to see that this had been undertaken and that the design presented was influenced by this analysis.
19. It was also noted that the advice previously provided by the Panel in January has been taken on board in terms of simplifying and rationalising the design, particularly in relation to the river facing rear elevation. This is a striking elevation which is almost entirely glazed, and some reservations were expressed with regards to excessive solar gain and how the dwelling would be viewed from the river, especially at night when the large central glazed window in particular would be highly visible. Whilst the desire to maximise views of the river are understood, this must be balanced with the need to protect the wider visual amenity of the locality from potentially urbanising impacts.
20. This is a matter which will need to be further considered, with one possible solution being the inclusion of movable external screens/shutters or louvres which could provide solar shading, thermal retention, and additional visual interest to the elevation.
21. Another element which it was suggested be further considered was how the large central glazed window on the riverside elevation would be constructed. This would be a very large single sheet of glass, which may not prove to be feasible. As such, if any framing is required for this opening, it could

significantly alter the appearance of the elevation, although the possible inclusion of louvered fins may assist with this.

22. The proposed internal and external layout were considered appropriate and logical. The proposed dwelling is no closer to the side boundaries of the site and the use of existing site levels means that the three floors proposed are feasible. The use of a darker facing material and smaller glazed openings at the lower ground floor level, together with the intended additional landscape planting in front of the elevation will assist in lessening the visual height of the building when viewed from the river, appearing as a two storey building rather than three.
23. The front 'street' elevation was considered to work well and would be further enhanced by the proposed new landscape planting within the frontage. It was suggested that some of the strong timber element of this elevation could be brought around to the rear river facing elevation, perhaps via the previously suggested moveable screens. If well crafted, these could enhance the 'nautical' aesthetic in a subtle manner.
24. Overall, this revised version of the scheme was considered to be a significant improvement over that previously presented, albeit some reservations as to the visual impact upon the wider landscape at night remains. However, it was acknowledged that this could be addressed with further design development, ideally prior to the application being approved rather than through conditions. Equally, it would be useful to agree construction details of particular elements, such as balconies, eaves/gutter details, etc."
25. **Ecology** – The supporting ecological appraisal show that the property has negligible bat roost potential, and no nesting birds were found. The site is in a red impact risk zone for great crested newts, but this was not considered in the appraisal. It is advised that any shrub clearance required is supervised by a qualified ecologist and that suitable ecological protection measures are undertaken during demolition and construction, which can be secured by condition.
26. As the site exceeds 0.5 hectares in size, there is also a requirement for a 10% biodiversity net gain to be demonstrated.
27. **Trees** – No objection
28. The site contains a number of trees and falls within the Conservation Area. Most of the trees are around the edge of the site.
29. As with the previous application, the supplied arboricultural report is generally satisfactory at this stage and demonstrates that the trees can be retained and protected. The only significant change appears to be the additional encroachment into the RPA of T2 because of the requirement for parking places.

30. There is probably a need for more detail regarding arboricultural supervision as the details provided in Appendix 1 are somewhat generic. Therefore, we raise no arboricultural objection, subject to conditions requiring details of tree protection measures to be submitted and approved prior to commencement.
31. **Environmental Health** – No objection subject to the submission and approval of a Construction Environment Management Plan prior to construction.
32. **Bursledon Parish Council** – Comments awaited.
33. **Old Bursledon Action Group** – Objection. The proposals do not accord with the requirements of Policy BU7. Its size, scale and design are not in keeping with the objectives of the conservation and special policy areas and would allow an unacceptable precedent for similar future proposals.

Policy Context:

Designations Applicable to Site

- Outside the Urban Edge
- Within the Old Bursledon Conservation Area
- Within the Old Bursledon Special Policy Area

Eastleigh Borough Local Plan 2016-2036

Strategic Policies:

- S1 (Delivering sustainable development);
- S2 (Approach to new development);
- S5 (New development in the countryside); and
- S8 (Historic Environment).

Development Management Policies:

- DM1 (General criteria for new development);
- DM2 (Environmentally sustainable development);
- DM3 (Adaption to climate change);
- DM6 (Sustainable surface water management);
- DM11 (Nature conservation);
- DM12 (Heritage Assets);
- DM14 (Parking);
- DM26 (Residential extensions and replacement dwellings in the countryside);
- DM30 (Internal spaces standards for new residential development); and
- BU7 (Residential extensions and replacement dwellings, Old Bursledon Special Policy Area).

Hampshire Minerals and Waste Plan

- Policy 15 – Safeguarding of Mineral Resources.

Supplementary Planning Documents

- Old Bursledon Conservation Area Appraisal and Management Proposals (February 2012);
- Quality Places (November 2011);
- Trees and Development (April 2022);
- Residential Parking Standards (January 2009); and
- Biodiversity (December 2009)

National Planning Policy Framework

34. 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 NPPF 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. A deliverable five-year supply of housing within each local authority area is required, and if this is not demonstrated a tilted balance in favour of the development applies.
35. 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

36. 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

37. 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 policies of the Eastleigh Borough Local Plan 2016-2036 and the Hampshire Minerals and Waste Plan 2013. The NPPF and

the Planning Practice Guidance constitute material considerations of significant weight.

38. Conservation Area:

39. The site also lies within a Conservation Area and Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

“In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

Policy & Principle

40. The application site lies outside the urban edge where the principle of further development is not usually considered to be acceptable. However, Policies S5 and DM26 do allow for residential extensions and replacement dwellings in the countryside provided certain criteria are met (see below). Also of relevance are Policies DM1, DM12 and BU7.
41. In relation to residential extensions and replacement dwellings Policy S5 directly refers to the need for proposed development to accord with the requirements of Policy DM26, which states that *“The extension or replacement of a permanent dwelling in the countryside will be permitted subject to the general development criteria and transport policies of the Local Plan and provided: the extension or replacement dwelling will not be disproportionate in size to the existing dwelling, neighbouring properties or in relation to its plot, or involve any extension to its curtilage”*.
42. Policy DM1 requires new development to have no unacceptable impact upon the “amenities of new and existing residents; the character and appearance of urban areas, the countryside and the coast”, make efficient use of the site, as well as “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.” It goes on to state that “Where adjoining development is poor in urban design terms, new development should contribute to improving the character of the area”.
43. Policy DM12 relates to heritage assets, which include nationally and locally listed buildings, as well as conservation areas, and states that:
- “Development of a heritage asset or within its setting will be permitted provided it does not harm or detract from the significance or special interest of the asset, and sustains and enhances its special character and qualities. The more important the asset, the greater the weight that should be accorded to this criterion. Permission for development which results in substantial harm to, or loss of, designated assets of the highest significance will be wholly*

exceptional. Development which involves the demolition or destruction of any part of other heritage assets will not be permitted unless its removal or replacement would enhance or better reveal the significance of the asset.”

44. Policy BU7 relates specifically to the Old Bursledon Special Policy Area and states that:

“Residential extensions and replacement dwellings in the Old Bursledon Special Policy Area as defined on the policies map will be permitted provided they:

- a. do not increase the volume of the original dwelling (as existing when the conservation area was first designated in 1982) by more than 25%. Further extension beyond this limit will not be permitted;*
- b. have regard to the impact of the development on the space between buildings and the openness of the area, ensuring that the character of the undeveloped landscape between buildings is conserved and enhanced;*
- c. do not create a dwelling disproportionately larger than the one that is being extended or replaced;*
- d. are subservient to and in proportion to the existing building in form, scale and design;*
- e. do not contribute to the cumulative urbanisation of the area; and*
- f. are not otherwise detrimental to the character of the area as viewed from the River Hamble.”*

45. In principle therefore, the demolition and construction of a replacement dwelling is acceptable provided that proposed accords with the various requirements of the above policies.

Proposals

46. The application proposes demolition of the existing dwelling and its replacement with a new seven bedroom property spread over three floors. The design is contemporary in nature, made up of two canted ‘wings’ and an off-centre central portion which sits slightly higher than the main roof and projects to the front and rear. The northern elevation onto Salterns Lane is two storeys in scale, consisting of a dark coloured brick finish below vertical timber boarding to the first floor level. The elevation has a very simple but strong appearance, punctured by small square high-level windows to the lower level and longer vertical openings within the timber cladding. This is all topped by a zinc finished roof with a deep projecting eaves detail, which also acts as a rain gutter. The central element is also finished in zinc/metal, which projects from the elevation to form a covered entrance porch to the large front door below and is the most obvious design feature in an otherwise quite ‘private’ elevation.
47. The dwelling is entered at the upper ground floor level, which provides the main sitting room, a bar/kitchen and a study in the larger of the two wings, and a games room and guest suite in the smaller wing. Vertical circulation is provided in the central angled portion of the building, which includes large

landing/gallery areas which can be used for various purposes. At first floor level are four further bedrooms, including a master suite, all with access to an external covered balcony with views towards the River Hamble.

48. The bottom, or lower ground floor, provides the main kitchen/dining/family space in the larger of the two wings, which opens out to a garden level patio. The smaller wing provides two further bedrooms, again which open onto the garden. The central projecting element sits slightly higher at this level and accesses the garden via a formal external staircase.
49. The eastern and western side elevations continue the simple design of the front northern elevation, with dark brick to the lower levels and timber cladding to the first floor. However, the elevations evolve and become more open as they approach the rear southern elevation, which is intentionally far more open and lighter in its architectural form and appearance. In contrast to the front elevation, the rear garden elevation is predominantly glazed, with all main habitable spaces able to take advantage of the available views towards the garden and river beyond. This elevation has a far more horizontal aesthetic, with the large areas of glazing broken up by movable timber screens/shutters. Again, the most striking element of the elevation is the central portion which forms a large glazed 'archway' projecting from the rear elevation.
50. The rear elevation also incorporates extensive planting beds/troughs between the lower and upper ground floor levels, which would be in addition to further new landscape planting at garden level around the edge of the patio space. It is also proposed to provide a 'green wall' to the eastern elevation, which is intended to provide privacy and soften the visual impact of the dwelling upon the immediate neighbour to the east. Extensive new landscaping, including tree planting, is proposed to the site frontage.

Layout, Form, Scale & Design

51. The position of the proposed dwelling would be slightly further into the site than the existing house by approximately four metres. However, given the large size of the site, it is still located at the top end of the site and still lies behind the notional building line formed by other development which faces towards the river. Ample space is still available for the rear garden and site frontage to accommodate the intended new landscaping, as well as parking.
52. Setting the dwelling a little further back into the site also means that it will be set a little lower than the present house, given the natural slope of the application site. This set back position, and lower starting level would result in the dwelling appearing no higher than the existing dwelling when viewed from Salterns Lane despite being over three storeys in comparison to the existing dwelling's two. Equally, whilst being very slightly wider than the existing dwelling – by approximately a metre – the setback, lower level and angled footprint of the proposed dwelling will again make it appear no larger than the present house when viewed from Salterns Lane.

53. The main issue raised by almost all who have objected to the application is in relation to the form, scale and design of that proposed. These concerns principally relate to the flat roof and 'boxy' form of the building, which is quite different to the more traditionally pitched roof form of surrounding development. This is being seen more often with proposals in Old Bursledon and may be an unintended consequence of the volume restrictions placed upon new development by Policy BU7 (see below). Notwithstanding, there is nothing in policy terms preventing new development from being flat roofed, provided the overall design is of a high quality and appropriate for the context of the site and surrounding area.
54. Other concerns raised are the proposed three storeys and that there are no other properties in the locality of this scale. However, as has been discussed above, the dwelling's design makes use of the site's natural change in levels, which other properties have taken advantage of where it has been available to them. It is also the case that there are other properties locally whose accommodation stretches over three levels, albeit the third level tends to be within the roof space or via a split-level layout due to topography. In terms of overall general scale, that proposed for Cherry Court is not dissimilar to nearby properties such as 'River Barn' or 'Rivermead', albeit it is accepted that these properties are of a much more traditional architectural style and form.
55. With regards to the scheme's proposed contemporary style, it is acknowledged that it is quite different to the majority of immediate surrounding development. However, more contemporary architecture is not entirely out of keeping with what is a very mixed part of the conservation area, with a number of other examples in the area. The issue therefore is whether that proposed is of an appropriate architectural quality, and whether it has taken appropriate account of the site's context and that of the surrounding area.
56. As has been highlighted in the above response from the Winchester and Eastleigh Design Review Panel, together with that of the Council's Heritage Consultant, the scheme now under consideration has been appropriately influenced by a thorough detailed analysis of the application site and that of the surrounding area. Whilst the design of that proposed is contemporary in nature, this is not to say that it does not appropriately respond to the site. Indeed, it has been demonstrated through the detailed supporting information and comparison drawings that the site's constraints and opportunities have been used to develop a well-considered and logical scheme which makes best use of the site whilst trying to minimise its visual and physical impact upon the site and wider locality.
57. As a piece of architecture, that proposed is considered to be of a high quality design which is comparable to that of other development within the immediate locality and the wider conservation area. As such it is considered to accord with the requirements of Policy DM1 of the adopted Local Plan, together with the Council's 'Quality Places' Supplementary

Planning Document. Notwithstanding, the final quality of the scheme will be very dependent upon the final finish, materials and architectural detailing of the scheme. As such, a condition requiring details of materials and various architectural elements to be submitted and approved by the LPA prior to construction is recommended in order to ensure the final development is of the quality currently envisaged.

Street Scene & River Views

58. As has been discussed above, the visual size of the proposed dwelling will be very similar to that of the existing Cherry Court when viewed from Salterns Lane, due to its slightly setback and lower position within the application site. Elevationally, whilst the materials proposed do differ from the existing, that proposed actually being more muted in colour than the current cream render, the elevations are not dissimilar in their simple form and minimal window openings. Whilst flat roof in form, the roof of the existing dwelling is not overly prominent due to its low angled pitch, so plays little part in the overall street scene. Notwithstanding, the proposed scheme includes a grey zinc finished roof and deep eaves detail, rather than a parapet detail which would appear much higher and harsher.
59. In terms of views from Salterns Lane therefore, that proposed will not be dissimilar to the present building when viewed through the site entrance and from longer views along the lane in either direction. In addition, the proposed new landscape planting to the site frontage will soften views of the dwelling through the site entrance and would be an enhancement over the existing situation.
60. With regards to the proposed new dwelling's impact upon views from the adjacent sunken lane which leads down to the river, that proposed would be no closer to the lane than the existing dwelling, which is presently visible above the timber boundary fence. This will remain the case with that proposed, albeit the building will be a little further along the boundary. Whilst differing in appearance, the visual impact and physical presence of the proposed scheme would be very similar to the present situation. Again, this can be softened through the introduction of additional boundary planting.
61. Further down the lane, there are views of the site from the bridge which crosses the railway line. From this lower level, views of the existing dwelling are interrupted by boundary trees and planting, but more so due to the site's topography, with the edge of the existing levelled area of lawn forming a ridge in the land which screens much of the bottom of the dwelling. Whilst that proposed is positioned a little further into the site, this ridge will still interrupt views from the railway bridge, screening the lower ground floor level entirely and giving the impression that the dwelling is only two storeys.
62. Whilst the appearance of the dwelling would obviously differ from that of the existing, again these elevations are relatively comparable in terms of

the large areas of glazing, and tonally are not dissimilar, albeit the proposed timber screens and terrace planting will provide a much softer feel to the existing dwellings bright rendered finish. Again therefore, whilst views from the railway bridge will be different to that at present, the overall impact of that proposed in terms of general visual and physical impact would be comparable to the existing situation and can be further enhanced through new landscape planting.

63. The final and perhaps most important view of the site is that available from the river and the public footpath which runs along its opposite bank. Cherry Court is one of a very few properties within Old Bursledon which benefit from more open views of the River Hamble. In turn, this means that they are also visible from the river. As such, any significant proposals for these sites need to very carefully consider the impact upon these important public views, as they will influence the character of the conservation and special policy areas.
64. Photographs have been provided by at least one objector showing how the existing property is visible from the river and footpath. However, that provided has been taken using a high-powered lens which has been zoomed in very close to the site from 700 metres away. In reality, this is not how the site is viewed with the human eye. Whilst the site is clearly visible from the river, it forms one small part of the overall view, being seen as one of a number of dwellings against a much more prominent backdrop of trees and woodland. In general views the existing dwelling does not obviously stand out, despite its bright rendered finish and significant areas of glazing, albeit it is clearly visible when looking specifically for it, but only along a very confined section of the river directly opposite the site.
65. Concerns that the three storey height of the proposed dwelling when viewed from the river would make it appear excessively large and prominent were initially shared by officers. However, following extensive discussions this has been carefully considered and taken on board in the design. As discussed above, the lower ground floor level of the dwelling is to be finished in a dark coloured brick and has less glazing than the upper two floors. The lower and upper ground floor levels are also separated by terrace planting, which would be complimented by further planting at garden level around the dwelling. This combination of dark recessive material finishes, and extensive planting will act to hide the lower ground floor within the long range views available from the river, or at least substantially lessen its visibility. As such, the dwelling would be seen as a two storey property in general views from the river and opposite bank.
66. To address concerns of potential glare off the extensive glazing, and the visibility of the dwelling at night where internal lights would be visible from the river, the scheme has been amended to include a series of movable timber louvered screens to the upper two levels of the southern elevation. These can be moved back and forth as required, to provide shade from the sun, and/or privacy, as well as providing a dynamic elevation which changes through the day. These screens, together with the louvred

horizontal fins across the glazed central section of the elevation and covered balconies, will substantially reduce or even eliminate any glare during the day and lessen/soften the impact of internal lighting at night.

67. The design features set out above demonstrate that the potential impact of the proposed scheme upon important views from the river have been carefully considered and have been addressed in an appropriate manner which will lessen the visual impact of that proposed.

Area Character & Impact upon Conservation and Special Policy Areas

68. As set out above, the application site lies within the Old Bursledon Conservation and Special Policy Areas where Policies DM12 and BU7 apply.

Listed Buildings:

69. Policy DM12 relates to heritage assets which include conservation areas as well as nationally and locally listed buildings. The application site is not adjacent to any nationally or locally listed buildings, the nearest being 'Walnut Tree Cottage' which sits on the corner of Kew Lane and Salterns Lane some distance away from the site with other development and mature trees intervening between the sites.

Demolition:

70. DM12 also states that "Development which involves the demolition or destruction of any part of other heritage assets will not be permitted unless its removal or replacement would enhance or better reveal the significance of the asset." Whilst the current Cherry Court is not listed, it nonetheless forms part of the conservation area, meaning that the impact of its demolition upon the conservation area must be considered. As has been mentioned above, the existing dwelling dates from the 1960s, so does not form any part of the more historic core of the conservation area and is of no great architectural merit. As such, its demolition raises no concerns in relation to adverse impact upon the conservation area, particularly given its intended replacement is considered to be of a far higher architectural quality.

Area Character:

71. As set out in the 'Old Bursledon Conservation Area Appraisal and Management Proposals' SPD, the application site lies within Zone 8, which is characterised as being an area of mixed residential development, including some unsympathetic modern additions. However, it does highlight the positive contribution that the undeveloped land between dwellings provides in retaining "the primarily rural character of the conservation area." As such, it requires the extension or replacement of any dwellings to not result in "a dwelling disproportionately larger than the one that is being extended or replaced." This requirement is reiterated in Policy DM26, which

relates to residential extensions and replacement dwellings in the countryside, together with criterion b. & c. of Policy BU7.

72. As discussed above, whilst different in design and appearance, the visual impact of that proposed would be no greater than the dwelling which it would replace. Equally, its general footprint and position within the application site is comparable, meaning that the spacing between it and neighbouring dwellings is not impacted. In these regards, that proposed is considered to accord with the relevant requirements of Policy DM26, as well as criterion b. & c. of Policy BU7.
73. Looking at the other criterion set out by Policy BU7; criterion d is only relevant to extensions. Criterion e. requires any new development to “not contribute to the cumulative urbanisation of the area”. This is something which is also picked up within the ‘Old Bursledon Conservation Area Appraisal and Management Proposals’ SPD, which highlights such features as ornate gated entrances and removal of hedge boundaries. That proposed for Cherry Court does not propose to make any alterations to the existing site entrance or to the existing dense laurel hedge which fronts Salterns Lane and provides a good degree of privacy. Any future proposals for new gates over a metre in height would be subject to granting of planning permission as part of a separate planning application. With regards to urbanisation of the area, that proposed raises no concerns.
74. Criterion f. of BU7 relates to the character of the area when viewed from the River Hamble, which as discussed in detail above, that proposed is not considered to have any detrimental impact upon.

Volume:

75. The final element of Policy BU7 is criterion a. which limits the resulting volume of any extended or replacement dwelling to no greater than 25% of the volume of the original dwelling, or as it was in 1982 when the conservation area was designated. Any volume increase over this will not be considered acceptable.
76. Looking at the planning history of Cherry Court, whilst the house has been enlarged since it was originally built in the 1960s, the enlargement took place in the early 1970s. Other than a few applications relating to tree works within a conservation area, there is no record of the dwelling having been enlarged after designation of the conservation area in 1982. This appears to be a reasonable assumption when looking at the present dwelling. That being the case, officers are confident that for the purposes of Policy BU7, the existing volume of the current dwelling can be used as the starting point for calculating any volume increase of that proposed over the existing.
77. Volume calculations have been provided in support of the application which have been reviewed by officers to corroborate the figures stated. Whilst not

coming to exactly the same figures, the differences are very marginal and have a negligible impact upon the final volume calculations.

78. The calculations provided give a total volume of the existing dwelling to be 1,232 cubic metres, with the volume of the proposed dwelling being 1,480 cubic metres. This equates to an increase of just over 20%.

$$(1,480 - 1,232) / 1,232 = 0.203 \text{ which equates to } \mathbf{20.3\%}$$

Even when taking into consideration possible discrepancies in measurements, this still leaves a comfortable margin of error before the 25% limitation is reached. As such, it has been demonstrated that the proposed dwelling accords with the volume limitation set out by Policy BU7.

79. Some of those who have commented upon the proposals have questioned the volume calculations provided by the applicant, stating that they should not have included the loft space and garage of the existing dwelling as these are not habitable spaces. This is not an unreasonable argument, but the wording of Policy BU7 does not specifically state what should or should not be taken into account when calculating the volume of a dwelling, or whether detached outbuildings should be included in the calculation. Without guidance to the contrary, officers are of the view that the policy requires the total volume of a dwelling to be taken into account, which can include loft spaces and garages if they are physically attached to the dwelling. Equally, this is also the case when calculating the volume of the resulting dwelling, in order to ensure a consistency of approach.

Area Character:

80. To conclude in relation to the proposal's impact upon the character of the Old Bursledon Conservation and Special Policy Areas, that proposed is considered to have no greater visual or physical impact. Whilst differing in appearance to the existing dwelling, that proposed is considered to be of a far higher architectural quality to that which it would replace, which in turn could be considered as an enhancement of the area. As such, that proposed is considered to accord with the requirements of Policies DM1, DM12, DM26 and BU7 of the adopted Local Plan, together with those of the 'Quality Places' and 'Old Bursledon Conservation Area Appraisal and Management Proposals' Supplementary Planning Documents.

Amenity

81. Some concern has been raised by an immediate neighbour regarding overlooking and loss of privacy from the proposed first floor balcony on the southern elevation. In planning terms, the level of overlooking would not be sufficient to warrant any concern. Notwithstanding, the scheme has been amended to include a planted screen/green wall along the eastern side of the balcony in order to prevent any potential overlooking into the neighbouring property's garden.

82. From a planning perspective, the proximity, orientation and relationship between immediate neighbouring properties and the proposed dwelling at Cherry Court is such that there would be no unacceptable loss of privacy, light or outlook. In these regards, the application meets the requirements of Policy DM1 and the Council's 'Quality Places' Supplementary Planning Document.
83. Other potential issues of disturbance could result from undertaking the demolition and building works. Whilst some degree of disturbance is inevitable with any building works, impact upon the amenity of neighbours and the wider area can be controlled via suitable conditions, such as the requirements for a construction management plan to be submitted and approved prior to works commencing, and restricted working hours.
84. In terms of amenity for future occupiers of the proposed dwelling, that proposed more than meets the minimum requirements in terms of dwelling and garden sizes.

Access, Parking & Highway Matters

85. The site access would remain unaltered, and the existing parking area would be retained. On-site parking would more than exceed the minimum requirements of the 'Residential Parking Standards' SPD, and there would be no change to the average number of vehicle movements associated with a single domestic property. As such the proposals are considered to accord with Policies DM1, DM13 and DM14 of the adopted Local Plan.

Trees

86. All trees within a conservation area are subject to a greater degree of protection than those outside, with the exception of those covered by a specific Tree Preservation Order. Whilst there are a number of trees which form parts of the site boundaries, the supporting arboricultural assessment which has been submitted in support of the application demonstrates that the development can be constructed without adverse impact upon any trees, provided suitable protection measures are put in place. Details of these measures can be secured and approved via a planning condition.

Nature Conservation

87. The application is supported by an ecological report which has assessed the existing property for bat roost potential. This demonstrates that the property has negligible potential. However, as has been highlighted by the Council's Ecologist, the report has not picked up on the site being within a red risk zone for Great Crested Newts. Notwithstanding, the potential of the proposed development harming newts is likely to be very low, albeit precautionary measures during site clearance are recommended. This can be secured via condition.

88. A further issue picked up by the Council's Ecologist is that the site, at 0.54 hectares in size, is just over the 0.5 hectare threshold for the development to provide a biodiversity net gain of 10%. This is relatively new legislation requirement which would not usually come into effect for a replacement dwelling and is only relevant in this instance due to the large size of the application site and has not been fully addressed within the application submission. Notwithstanding, the application site and the proposed development has ample potential to achieve a 10% biodiversity net gain, which can be required via condition.
89. With appropriately worded planning conditions the proposed development will meet the requirements of Policy DM11 of the adopted Local Plan.

Sustainability Measures and Climate Change

90. 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.
91. 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.
92. 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.
93. When considering the impact of climate change, the proposed development would be 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. In this regard, it has been highlighted that refurbishment and modernisation of the existing dwelling should be considered rather than demolition and rebuild, in order to prevent the release of embodied carbon. Whilst this is a not unreasonable observation, this must be balanced against the longer-term energy use of the building.

94. The applicant has considered refurbishment of the existing dwelling, but has ruled this out for various reasons, including cost and their family's requirements. Presently, the existing dwelling lacks the levels of insulation required of modern development and would require substantial work on top of urgently required structural, electrical and heating works to bring the dwelling close to modern standards. Even then it is unlikely to be as efficient as a newbuild property and the required works may well result in visual harm to the building and in turn the surrounding conservation area.
95. Conversely, the proposed replacement dwelling would be constructed to a much higher standard in terms of insulation and energy efficiency. It also includes built in passive features such as covered balconies and louvred screens to prevent overheating and limit the need for artificial ventilation or air-conditioning, as well as other sustainable features such as PV panels, rainwater harvesting, etc which will further improve the efficiency of the dwelling.
96. Whilst refurbishment of the existing dwelling may be an option available, ultimately there is no planning policy requirement for the existing building to be retained. Notwithstanding, that proposed has demonstrated that the issue of sustainability has been considered and incorporated into the design from the beginning. As such, that proposed is considered to accord with the requirements set out in Policies DM2, DM3 and DM6 of the adopted Local Plan.

Other Material Considerations:

Equalities Implications

97. Section 149 of the Equalities Act 2010 created the public sector equality duty and states:-

A public authority must, in the exercise of its functions, have due regard to the need to:

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

98. 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 specific equality implications.

Conclusion:

99. The proposed replacement dwelling is considered to accord with, and acceptably meet the requirements of the various relevant policies of the adopted Local Plan and SPDs. As such the application is recommended for approval subject to the conditions set out above.

F/24/97376



Address: CHERRY COURT, SALTURNS LANE
BURSLEDON, SOUTHAMPTON, SO31 8DH

Date: 27/08/2024

Scale: 1:1250

BHH – Bursledon, Hamble-le-Rice and Hound Local Area Committee – 05
September 2024

Application Number: H/24/96802
Case Officer: Claire Campbell-Best
Received Date: 15 July 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 (Revised scheme to
application approved under H/24/96802).

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 L

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. The materials to be used must match as closely as possible, in type, colour and texture those listed in the Materials Section of the application form.

Reason: To ensure a satisfactory visual appearance on 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, at 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.

Note to Applicant: The conditions and application associated with the build-over of a public sewer are available a Southern Water's Get Connected Service: Home (southernwater.co.uk). Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: Home (southernwater.co.uk). Please refer to Southern Water's consultation response for further advice.

Report:

1. This application has been referred to Committee by the Chair, Councillor Craig.

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. Planning permission H/24/96802 was granted in March 2024. This was for the erection of a flat roofed outbuilding comprising a garage, workshop and home office in the rear garden.
5. This application seeks to amend the approved scheme as follows:
 - Change in roof form from a flat roof to a pitched roof to the proposed outbuilding. This would result in an increase in height; the maximum height would be 3.5m and the eaves height would be 2.6m.
 - Repositioning of the outbuilding approximately 0.7m north towards the rear of the host dwelling to avoid a sewer easement to the south of the site.
6. There would be no change to the proposed length (14m) and width (6m) of the outbuilding; this would remain the same as what was approved under the previous planning permission.
7. The internal layout of the outbuilding would also remain the same as what was previously approved. 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 would be internally linked via a door. The outbuilding would be finished in fibre cement weatherboard green cladding and slate grey roof tiles.
8. To take account 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 proposed plans submitted with the application.
9. The Planning Statement, plans and consultation responses to the application can be viewed [here](#).

Relevant Planning History

10. H/24/96802 – Erection of outbuilding comprising of a garage, workshop and home office in rear garden (Resubmission application) – Permit 19/03/2024.
11. H/23/96411 – Erection of outbuilding comprising of a garage, workshop and home office in rear garden – Withdrawn 11/12/2023.

Representations Received

12. The application received two comments querying the following:

- The use of the workshop.
- Whether the garage would be insulated to reduce noise levels.
- Would restrictions on deliveries and parking be implemented if the outbuilding was used as a business.

13. The application also received two letters of support from the adjoining neighbours, The Gables and Laurel Cottage. Both neighbours confirm they have no objection to the proposal and state a pitched roof would be better in terms of design and more in keeping with the surrounding buildings.

Consultation Responses

14. Bursledon Parish Council:

No comments received.

15. Southern Gas Networks:

No comments received.

16. Southern Water Services:

No comment received; however a pre-commencement condition was requested on the previously approved application, as this is a similar scheme, the same pre-commencement condition has been applied.

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

17. 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

18. 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

19. 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:

20. 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 Approved Planning Application

21. Planning permission (H/24/96802) was granted in March 2024 for a flat roofed outbuilding. This had the same length and width dimensions but had a lower height of 3m. It was noted that while the outbuilding was large in size, it was considered acceptable in terms of its design and scale and would not adversely impact the street scene, neighbouring residents or public sewers. The current planning application under consideration (H/24/97802) proposes a pitched roof to the outbuilding with a maximum height of 3.5m (2.6m to eaves) and a slight repositioning of the structure 0.7m to the north.

Layout, Design and Impact upon the Character of the Area

22. 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.
23. The revised scheme would slightly alter the appearance and height of the proposed outbuilding from what was approved due to the change in roof form. The maximum height of the building would be 3.5m (from 3m). The plans indicate the revised roof would have a shallow 15-degree pitch with the increased part of the roof being central to the outbuilding. The eaves height would be reduced to 2.6m as opposed to 3m as permitted in the previous application which reduces the prominence of the structure particularly at the boundary shared with Laurel Cottage.
24. The outbuilding and the proposed increase in height would not be visible within the public domain due to its siting in the rear garden. The boundary treatment to the site and the surrounding neighbouring dwellings would screen views of the structure from Lowford Hill. As such, the impact to the street scene would be minimal.
25. It was noted during the site visit there are large outbuildings with pitched roofs in the rear gardens to nearby neighbouring properties (namely Laurel Cottage and Oakleigh Lodge). Therefore, the revised roof alteration is considered to be in keeping within the existing development within the area.
26. The external finishes to the outbuilding would comprise of weatherboard cladding in a green colour (heathered moss). This material is generally associated with outbuildings and the proposed colour is subtle. Therefore, the proposed material is 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. Overall and to conclude, while it is acknowledged the revised roof form would further contribute to the large size and scale of the outbuilding, the shallow pitch design is considered a modest alteration and would not result in an unduly prominent structure. The repositioning of the outbuilding is also considered acceptable as reasonable separation distances are maintained. In this instance, it is considered the revised scheme is acceptable in terms of its size, scale, siting and design.

Residential Amenity

28. 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.
29. The neighbours most impacted as a result of the revised proposal is the neighbour to the west, Laurel Cottage, the neighbour to the east, The Gables and the neighbours to the south, nos. 13 and 14 Ravenscroft Close.
30. The outbuilding would be positioned 0.8m 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.
31. The revised pitched roof would also slope away from the boundary shared with Laurel Cottage; the highest part of the roof would be positioned 3.8m away from this boundary. In addition to this, the lower eaves height along with the partial sinking of the outbuilding would result in a structure that is not considered to be unduly overbearing with regard to Laurel Cottage.
32. The repositioned outbuilding would have a separation distance of 6.6m from the rear of Laurel Cottage. Due to the orientation of the rear gardens and the revised 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 where it was confirmed there is a patio area leading off from the rear of the house and is the main space used within the garden. The outbuilding would be positioned away from this area. 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 shallow pitch of the outbuilding. As such, the proposed outbuilding is not considered to impact the amount light received to the neighbouring garden to an unacceptable degree to cause detrimental harm.
33. The revised roof alterations and repositioning of the outbuilding is not expected to adversely impact the neighbour to the east, The Gables and the neighbours to the south, nos. 13 and 14 Ravenscroft Close as the outbuilding is sufficiently distanced from the boundaries shared with these neighbours. Additionally, the existing boundary treatment along these neighbouring boundaries adequately screen views from the proposed windows to the outbuilding. As such, the revised scheme would not impact upon the light, outlook or privacy to these neighbours or be unduly overbearing.

34. Nearby residents have commented on the use of the outbuilding, noting if there would be restrictions on deliveries and parking if the outbuilding was to be used as a business. As with the previous application, 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.
35. A resident also commented if the outbuilding would be insulated to protect residents from any noise from the workshop area to the outbuilding. The submitted plans indicate the walls and roller shutter door would be insulated; as the outbuilding will be conditioned for ancillary use only, the workshop is not expected to generate excessive noise levels.
36. Overall and to conclude, the revised scheme is not considered to adversely impact the amenity of the nearby residential properties.

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 would be sited approximately 7.3m beyond the rear elevation of the host dwelling. This would allow adequate space for vehicles to manoeuvre to access the garage section of 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 Environment 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:

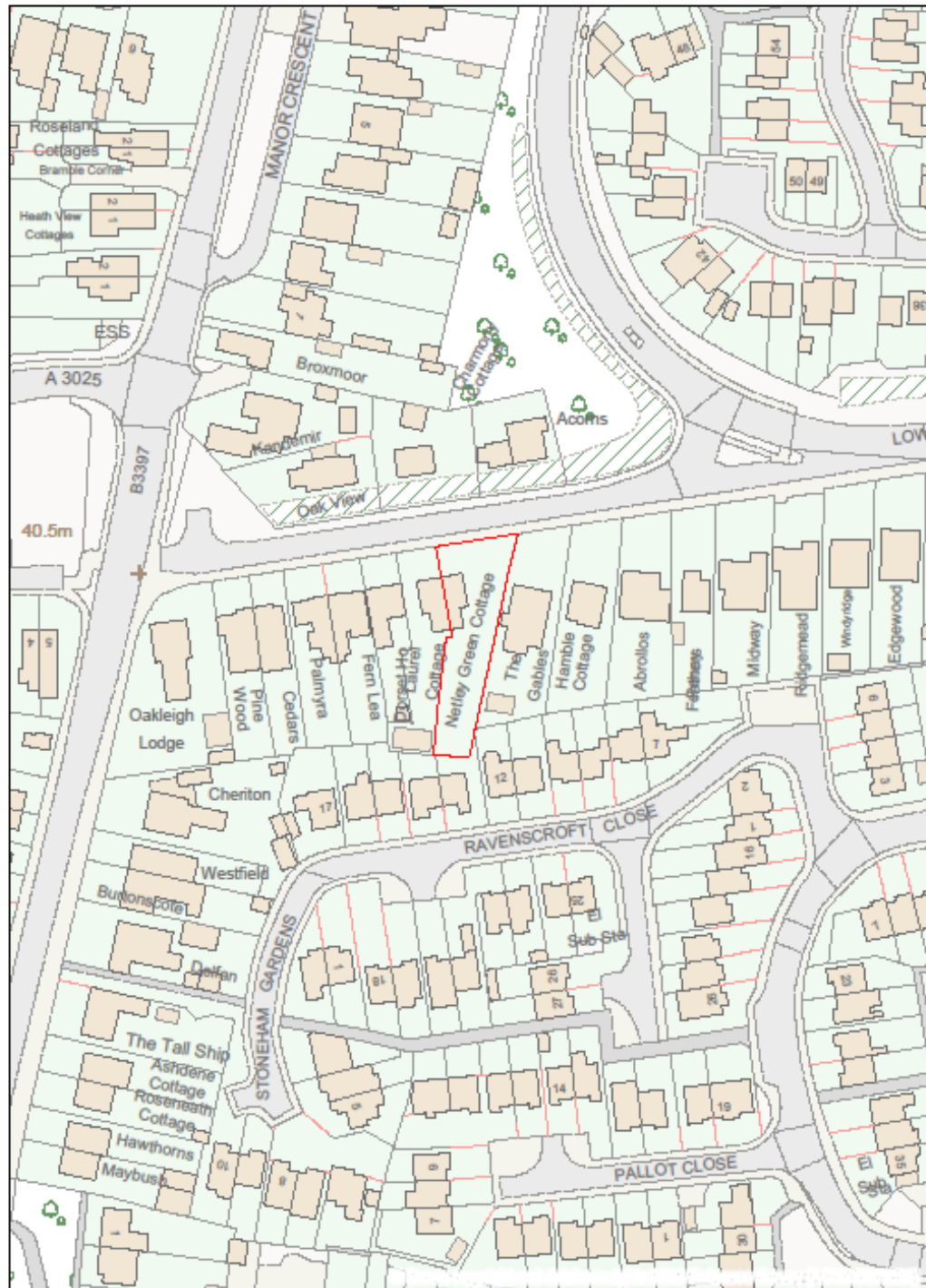
47. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-
- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or 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.

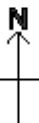
Conclusion

49. In conclusion, the revised pitched roof and repositioning of the 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/24/97802



EASTLEIGH
BOROUGH COUNCIL



Address: Netley Green Cottage, Lowford Hill
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Date: 14/08/2024 Scale: 1:1250

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