

DELEGATED OFFICER REPORT

Application Ref: H/24/98370

Site Address: 46 BOWCOMBE, NETLEY ABBEY, SOUTHAMPTON, SO31 5GP

Case Officer: Dorothy Hei-Tung-Hoh

Description: Erection of detached outbuilding for use as a residential annexe
(Amended description)

Particular Site Constraints?	Yes ☒	No ☐
• Within Established Residential Area • Within Built-up Area Boundary		

Planning History?	Yes ☒	No ☐
• H/24/97226 - Single-storey side/rear extension following demolition of existing conservatory and garage (AMENDED DESCRIPTION) – Permit - 17/07/2024 • LDC/24/97894 - Lawful Development Certificate for the proposed erection of garden room located in rear garden. - CLOPUD - Certificate Issued - 02/09/2024		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None received.		
Parish Council:	Object on overdevelopment, inadequate parking, and expressed concerns that it could become two properties.		
Environmental Health (noise):	The plans show the structure as detached from the main house; the proposed living area shows no kitchen. I assume this is therefore not a new dwelling, if this were the case it would be impacted by transportation noise from the railway bounding the rear garden. The applicant would then have to provide an acoustic report for BS 8233 'guidance on sound insulation and noise reduction for buildings' etc. If it is considered part of the main house, the only requirements are compliance with Building Regulations, and I would have no objections to the application.		
Environmental Health (air quality and contaminated):	From the contaminated land perspective, I have no concerns on the proposed change of use. From the air quality perspective, it is noted that the annexe does not have a kitchen. However, good ventilation is recommended to prevent dampness or mold. Apart from that, I have no concerns on this regard.		
Southern Water:	From reviewing the submitted documents, Southern Water are unable to determine the applicants proposed means of foul and Surface Water disposal. If the applicant is proposing to use the existing connection, we will have no objections to the works proceeding.		

Site Visit:	Yes ☒	No ☐
Details: 24 th October 2024		

Policy:**National Planning Policy Framework
Planning Practice Guidance****Development Plan:**

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM2, DM11 and DM14.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisal for Bursledon, Hamble-le-Rice and Hound (BHH 44)

Assessment:**Site context and surroundings**

46 Bowcombe is a two-storey, three-bedroom semi-detached brick-built dwelling situated on the north-eastern edge of Netley. The property includes a detached garage located at the side, which adjoins the neighbouring property at 47 Bowcombe. The rear of the property features a conservatory. Planning approval was granted in July for a single-storey side and rear extension following the demolition of the conservatory and garage. A site visit conducted in October confirmed that the site remained unchanged, and no works had commenced. The surrounding area is residential in nature, comprising terraced, semi-detached, and detached properties of similar styles and ages. There is a railway line that runs behind the property, connecting Sholing and Netley.

Proposal

The application seeks permission for the erection of a detached outbuilding at the rear of the garden for use as a residential annexe. Initially, the applicant intended to apply for a change of use, as a Lawful Development Certificate (LDC) for a garden room at the rear was obtained in September. However, a site visit conducted in October confirmed that the approved garden room had not yet been constructed. Consequently, a change of use application was not feasible at this stage.

Following discussions with the agent, the proposal was revised to seek planning permission for a detached outbuilding with a modified design. The key alteration involves changes to the previously approved L-shaped footprint. The projecting element has been relocated from one side to the opposite side, now positioned along the shared boundary with 45 Bowcombe.

Principle

The application site lies within an established residential area where the basic principle of development is acceptable, with any formal approval being based upon the exact nature, design, and impact of that proposed being considered acceptable and in accordance with the relevant policies within the adopted local plan and supplementary planning guidance.

Layout, design, and impact upon the character of the area

- 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.
- While the proposed outbuilding will feature cement board cladding and grey windows, which are materials not found in the host dwelling, its location at the

bottom of the rear garden ensures it is unlikely to be visible from the public realm. This is particularly the case once the approved single-storey side extension is constructed, which will further screen the outbuilding. As a result, the proposal is considered to have a limited visual impact, with no adverse effect on the street scene and the character of the surrounding area.

Impact on residential amenity

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
- Concerns were initially raised regarding the impact of the proposal on residential amenity, including the effects on both the occupants of the site and the neighbouring properties. For the application site, it was noted that once the outbuilding and the approved single-storey extensions are constructed, the remaining amenity space would be limited. However, it has been confirmed that the retained rear amenity space will still meet the 60% requirement set out in the Supplementary Planning Document (SPD). Therefore, it cannot be concluded that the proposal would result in overdevelopment of the site.
- In terms of the impact on neighbouring properties, initial concerns were raised regarding the effect on 47 Bowcombe. This neighbouring property is set further back than the application site, and the initial design of the outbuilding, with the projecting element along the shared boundary, was considered to potentially create a sense of enclosure. However, the revised design addresses this concern by relocating the projecting element to the opposite side, thereby reducing the building bulk along the shared boundary and mitigating the sense of enclosure.
- While the projecting element will now be along the shared boundary with 45 Bowcombe, it is considered that the greater separation distance between 45 Bowcombe and the proposed outbuilding makes it unlikely to result in any significant loss of outlook, privacy, or light to this neighbouring property.
- There were also reservations about the potential for the outbuilding to be used as an independent dwelling, as it includes most of the necessary facilities and lacks a direct physical link to the host dwelling. However, it is noted that the proposed annexe is intended for use by dependent relatives, and both the annexe and the host dwelling share the same access and kitchen. This shared arrangement would make it challenging for the annexe to operate independently. To ensure this, a condition will be imposed restricting the use of the outbuilding to purposes ancillary to the main dwelling.

Highways and parking

- 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.
- The proposed annexe could result in an increased need for parking, raising the requirement to three on-site spaces in line with parking standards. However, the existing site appears to have capacity for only two spaces. Despite this, Bowcombe is not a busy road, has no parking restrictions, and observations from the site visit indicated that residents commonly park vehicles off-site. Therefore, the inability to provide three on-site spaces is not considered to have a harmful impact on highway safety or the local area to a degree that would warrant refusal of the application.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change.

Equalities Implications:

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

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion:

Permit subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐