

DELEGATED OFFICER REPORT

Application Ref: H/24/98546

Site Address: BADNAM COTTAGE, HIGH STREET, BURSLEDON, SOUTHAMPTON, SO31 8DJ

Case Officer: Rachael Morris

Description: Demolition of existing detached residential annex building and replacement with a new detached residential annex

Particular Site Constraints?	Yes ☒	No ☐
• Old Bursledon Conservation Area • Old Bursledon Special Policy Area • Countryside		

Planning History?	Yes ☒	No ☐
• Z/15320/000/00 - Erection of garden shed and boat store – Permit – Oct 1974 • Z/15320/002/00 - Front and rear single storey extension – Permit – Jun 1985 • F/24/97033 - Demolition of existing dwelling and replacement with 1.no 4-bedroom dwelling – Permit – Jul 2024		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	None		
Parish Council:	No Comment		
Built Heritage Consultant:	The existing annexe is evidently of a poor standard, which is more particularly relevant to the housing of an elderly resident. As the supply of residential homes is both of varying quality and costly and not to everyone's taste, this opportunity represents an ideal solution for a family in this situation. The size and character of the proposed replacement is suitable for the situation and will not impinge on the public perception of the conservation area while serving an evident long-term function for two individuals in this family, saving the state both the trouble and expense. From a conservation viewpoint this application appears to meet all the criteria and not affect the conservation area in a derogatory way, so no objection.		
Ecology:	<u>Update:</u> We agree that the survey work is only one "bat season" old – just under 18 months old in total. Looking at the CIEEM guidance this looks like this is one of the exceptions where a survey that's around 18 months does need further information/confirmation as we have a known bat roost in the main building and those bats could subsequently use features on the annex. Looking then at the British Standard for biodiversity guidance I think an update pre-demolition survey could be conditioned in these circumstances to confirm continued absence in the annex. It should be noted that if a bat roost is then subsequently confirmed, further survey work and a licence will be required before any work can be carried out. <u>Dec 2024:</u> There is a lack of accuracy in the ecology report due to the existence of two applications for this site. An earlier application (F/24/97033) for demolition of existing dwelling and replacement with 1 no. 4-bedroom dwelling was permitted in July 2024. The Bat and Barn Owl Survey, Ecological Mitigation and Enhancement Report by Aluco Ecology (February 2024) was written		

	for that application only. The conclusions and recommendations in that report do not apply to this application for a replacement annex only to the works to the main house. The bat emergence surveys were done in June and July 2023, with the hanging tiles of the house found to contain a day roost for common pipistrelle bats and no emergences from the annex or the garage. No bats were recorded emerging from the annex at that time, but it was assessed to have moderate bat roost potential. Due to the age of the surveys (more than 1 year and two bat roost seasons ago), the presence of bats on the property and the presence of numerous potential bat roost features in the annex, at least two recent bat emergence surveys will be required for this application. These can be done starting in May 2025 and are required before planning permission can be granted, as the presence of protected species is a material consideration. The recommendation in the Design Access Statement of a bat block and two bee bricks for the annex may eventually be appropriate, however this can only be determined after new bat emergence surveys and a bat survey report specific for this application.
Chair of OBAG and Co-Founder of Old Bursledon Conservation Society:	As you know, permission was recently given for the main residence to be demolished and enlarged. It is extremely important that the 25% limit is not breached by the addition of yet more residential development. OBAG is concerned that the annex may not actually have ever been residential. The out-building was long used as a picture-framing studio. A shower and toilet were installed but the studio was not a residential annex. This has been confirmed by a member of the family who lived there for many years. Please will you be especially rigorous and discover whether this is the case or not. It is very important that this proposal should only be permitted if the annex has proven residential status.

Site Visit:	Yes ☒	No ☐
Details: 12/04/2024		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 and S2; and Development Management policies BU7, DM1, DM11, DM12, DM26 and DM30. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals (BHH 23); Old Bursledon Conservation Area Appraisal and Management Proposals. Conservation Area The site lies within a Conservation Area and Section 71(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”.

Assessment:

The development is considered acceptable and complies with policies BU7, DM1, DM11, DM12, DM26 and DM30 from the 2016-2036 local plan, in that:

Setting

- Badnam Cottage lies toward the western end of zone 7 of the Old Bursledon Conservation Area opposite The Vine public house and the eastern side of The Dolphin's garden, which is a listed building. Other listed buildings close by are The Old Cottage two doors to the east and Walnut Tree Cottage to the west of The Dolphin, the other side of Salterns Lane.
- By virtue of both the topography and mature vegetation, neither Badnam Cottage nor the property to its west are currently visible from the road and that to the east only the roof across The Old Cottage's garden. The gardens of these properties are about two metres above the road level, and they have mature hedging along the front boundary.

Principle

- The proposal is situated in designated countryside, Conservation Area and Special Policy Area. Policies S5, DM1, DM12, DM26 and BU7 are the most notable for assessing this scheme.
- Also, the Character Area Appraisals - Bursledon, Hamble-le-Rice and Hound SPD states under area BHH 23 that further development will be refused within the Special Policy Area with the exception of replacement dwellings, appropriate extensions or changes of use; proposals must preserve the loose-knit character of the area by avoiding significant increases in floorspace and the obstruction of open public views and maintain the character of the built environment in the use of form and materials. While this SPD quotes policy from a previous local plan, the sentiment of the ambition is carried through to current policy, as defined below.
- Policy S5 states that planning permission will be granted for new development in the countryside provided it is related to: ... residential extensions and replacement buildings (policy DM26)...
- Policy DM1 states all new development should:
 - a) not have an unacceptable impact on, and where possible should enhance residential amenities of both new and existing residents; the character and appearance of urban areas, the countryside and the coast; biodiversity (avoiding significant adverse impacts); and the significance of heritage assets...
 - c) 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.
- Policy DM12 states 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.
- Policy DM26 states that the extension or replacement of a permanent dwelling in the countryside will be permitted provided:
 - a) 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; and
 - b)
 - c) no additional dwellings are created.
- Policy BU7 states residential extensions and replacement dwellings in the Old Bursledon Special Policy Area 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
- Although most policies directly relate to residential extensions, they can be broadly applied in this case which seeks to extend the residential dwelling in a detached manner. The principles of the policies remain relevant. Nonetheless, in relation to policy BU7, the 25% limitation does not apply to detached buildings and only applied to the extension of the original dwelling's-built form.
 - Evidence has been supplied by the planning agent for this case that demonstrates the existing annexe has been in use as an annexe for over 10 years as an established use and although no specific planning permission was sought for the use of this building as an annexe, it is precluded from enforcement action as a result.

Design, layout and impact on the Conservation Area & Special Policy Area

- The proposed annexe would suit the host dwelling in terms of its scale, form and overall appearance. The main dwelling is due to be replaced with a contemporary building approved at Local Area Committee in July 2024.
- As stated in management proposal 4.152 of the Old Bursledon Conservation Area Appraisal and Management Proposals SPD, "Planning proposals that would close the gaps between these properties or affect the setting of individual properties will not be supported by the local planning authority". Although slightly larger than the existing annexe, the proposed annexe would not further reduce any space between properties to a detrimental extent and as such would not create an urbanising effect. This also accords with the points made in policy BU7 (b) and (e).
- As stated within the 'Annexes For Dependent Relatives' guidance document, the proposed annexe would not require subdivision from the main plot, would share a principal vehicular access, share amenity garden space and reliance on the main house would still be necessary. These are key considerations for assessing an annexe and the ability to rely on the main house for day-to-day activities assists in the argument that the annexe is not capable of being made into an independent dwelling.
- Although the proposed annexe is detached and does not incorporate an internal connection, this is considered acceptable in this case due to the existence of an existing detached annexe. Moreover, the detached building remains a subservient addition to the main plot and is not disproportionate in size to the main dwelling, according with both policy DM26 and the 'Annexes For Dependent Relatives' guidance document.
- The annexe is proposed to be used by the applicant's elderly mother and potentially their daughter in the future, demonstrating the annexe is intended to be used by close family. This will be further conditioned.
- The proposed annexe would only be 12sqm larger than the existing building, totalling approx. 52 sqm which is suitable in terms of the minimum required space standard.
- The proposed red brick and slate roof tiles with accents of timber cladding to the gable ends and oak framed porch will respect the character of the conservation area by keeping materials traditional. In addition, the barn hipped roof enhances

the character of the Conservation Area and Special Policy Area; although this would increase the height from the existing annexe by approx. 1m, this would overall offer benefit to the site.

- Overall, scheme is considered to accord with policies DM1, DM12, DM26 and BU7 of the Eastleigh Local Plan (2016-2036).

Residential amenity

- The development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.
- The proposed annexe would not create any harm in terms of loss of light or overlooking to neighbouring properties due to its single storey nature and there are no side windows proposed. All views from the annexe would be limited to the plot itself and the open field beyond to the North.

Other material considerations

- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.
- The proposed biodiversity enhancements, as stated in the submitted Design & Access Statement, of two Bee Bricks and a Bat Block shall be conditioned in order to accord with policy DM11 of the Eastleigh Local Plan (2016-2036).
- A pre-demolition survey is being conditioned on the existing annexe due to the presence of bats at the property and the presence of numerous potential bat roost features in the annexe. As a survey was completed one bat season ago, a new survey is not required prior to determination, as detailed in the British Standard for biodiversity guidance.

Climate Change:

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

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

Equalities Implications:

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

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

- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

Conclusion:

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...