

DELEGATED OFFICER REPORT

Application Ref: H/25/98737

Site Address: CRICKETWOOD, TANHOUSE LANE, BOTLEY, SOUTHAMPTON, SO30 2SZ

Case Officer: Dorothy Hei-Tung-Hoh

Description: Two storey extension to existing outbuilding following the demolition of the existing metal access stairs and balcony. New dormer. New Canopy. Alterations to fenestration

Particular Site Constraints?	Yes ☒	No ☐
Outside the Urban Edge – countryside		

Planning History?	Yes ☒	No ☐
- Z/31341/000/00 - Erection of agricultural dwelling - Refuse Planning Permission For - 29/03/1990 - Z/31341/001/00 - Renewal of temporary permission for mobile home - Temporarily Approve - 12/11/1996 - Z/31341/002/00 - Retention of mobile home - Permit - 15/01/1999 - Z/31341/003/00 - Construction of agricultural workers dwelling with detached double garage - Refuse Planning Permission For - 26/05/2000 - Z/31341/004/00 - Construction of agricultural workers dwelling with detached double garage and removal of existing mobile home - Permit - 03/07/2001 - F/04/50879 - Construction of detached garage with storage over - Permit - 26/07/2004 - X/17/80709 - Removal of Condition 4 of planning permission Z/31341/004/00 to lift agricultural tie - Permit - 08/09/2017 - H/18/84523 - Two storey extensions to rear and both sides of existing property creating central open courtyard. - Refuse Planning Permission For - 09/04/2019 - H/19/86226 - Two storey side and rear extensions - Permit - 30/09/2019		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None were received.		
Parish Council:	No objection.		
Ecologist:	I have reviewed the site photos and do not see any obvious potential bat roost features on the gable end or the roof of the outbuilding.		
Asset Management:	No objection.		

Site Visit:	Yes ☒	No ☐
Details: 7 th February 2025.		

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, S2 and S5; and Development Management policies DM1, DM2, DM11, DM14 and DM26.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:**Site context and surroundings**

The application site is located to the south of Tanhouse Lane, Botley. It comprises a modern two-storey detached dwelling, and a detached outbuilding situated on a generous plot. The site is positioned outside the defined urban edge but lies in proximity to the settlement of Hedge End. To the east, the plot adjoins a paddock area, while to the south (rear), it abuts barns and workshops, accessed via a separate track off Tanhouse Lane. The surrounding area is characterised by a mix of residential properties, small holdings, and equestrian uses, interspersed with open paddocks and grazing fields. This rural setting contributes to the open and undeveloped character of the countryside beyond the urban edge.

Proposal

The application seeks planning permission for a two-storey side extension to the existing detached outbuilding, following the demolition of the current metal access stairs and balcony to its side. The proposal also includes the addition of a new dormer window to the front elevation and a new canopy.

The existing outbuilding, which currently provides ancillary accommodation to the main dwelling, would be altered to create a four-bedroom residential unit. The ground floor of the resultant building would accommodate a lounge, dining area, kitchen, a disability-compliant bedroom with an accessible wetroom, and a carer's room with an en-suite bathroom. The first floor would comprise two additional en-suite bedrooms. The extension, approximately 5.5m in width, is designed in a gabled form with brickwork, oak, and timber cladding.

The applicant asserts that the development would provide annexe accommodation. However, the scale, layout, and facilities proposed suggest a level of independence inconsistent with ancillary use. This will be elaborated upon in the following sections.

Background

During the site visit and review of the submitted floor plans, it was observed that the existing outbuilding is currently in use as a two-bedroom residential unit, comprising a dining area, kitchen, and lounge on the ground floor, with two bedrooms and a bathroom on the first floor.

However, a review of the site's planning history indicates that this outbuilding was originally approved as a detached garage with storage above under planning permission F/04/50879. This approval was subject to Conditions 3 and 4, which explicitly restricted its use to purposes incidental to the enjoyment of the dwellinghouse, prohibiting its

conversion to living accommodation or use for business, commercial, or industrial purposes without prior written consent from the Local Planning Authority.

When clarification was sought, the agent stated that the garage had already been occupied as an independent residential unit before their clients' ownership. However, no substantive evidence has been provided to support this claim, and it has not been tested through a Certificate of Lawfulness for Existing Use to establish its lawfulness. As such, the current use of the outbuilding represents a breach of condition from the 2004 planning permission.

The agent has also proposed removing these restrictive conditions as part of the current application. However, this is considered procedurally inappropriate, as it would materially alter the scope of the proposal and would require a separate planning application.

Policy and Principle

The application site lies outside the urban edge and within designated countryside, where development is strictly controlled to protect the rural character and prevent unnecessary encroachment. In line with Policy S5 of the Eastleigh Borough Local Plan 2016-2036, new residential development in the countryside is only permitted in exceptional circumstances, such as where it is essential for agriculture, forestry, or other rural enterprises. Additionally, Policy DM26 sets criteria for residential extensions and replacement dwellings in the countryside, ensuring they do not result in a disproportionate increase in scale or harm the character of the area. Policy DM1 is also relevant, as it establishes general principles for all new development, including the need to respect the character and appearance of the locality.

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.
- The proposed layout, design, and scale of the two-storey extension to the existing outbuilding represent a significant departure from the principles of acceptable development within the countryside, forming the primary basis for recommending refusal of this application. The development's size, configuration, and self-contained nature would erode the rural character of the area and conflict with key policies of the Eastleigh Borough Local Plan (2016-2036), as outlined below.
- The proposal seeks to transform the existing outbuilding into a four-bedroom residential unit, incorporating a lounge, dining area, kitchen, a disability-compliant bedroom with an accessible wetroom, a carer's room with an en-suite bathroom, and two additional en-suite bedrooms on the first floor, facilitated by a new dormer and canopy. This would result in a building with a footprint extended by approximately 5.5m and a comprehensive internal layout that far exceeds the scope of ancillary accommodation. The applicant claims that the development constitutes an annexe designed to support dependent relatives of the main dwelling. However, the inclusion of extensive living facilities such as a full kitchen, multiple bathrooms, and four bedrooms, combined with the lack of any physical or functional link to the host dwelling, indicates a level of self-sufficiency that is inconsistent with the subservient role expected of an annexe. Typically, an annexe relies on the main dwelling for primary facilities (e.g., kitchen or living space) and maintains a clear dependency, but this proposal creates a fully self-contained home capable of independent living. Its scale and configuration effectively result in the creation of a new residential dwelling, which conflicts with Policy S5 of the Eastleigh Borough Local Plan 2016-2036. Policy S5 permits new residential development in the countryside only in exceptional circumstances, such as when it

is essential for agriculture, forestry, or other rural enterprises, none of which are demonstrated in this case.

- Should the development be evaluated as an extension to an existing residential building under Policy DM26, the proposal fails to satisfy the required criteria for development in the countryside. Policy DM26 requires that extensions must remain subordinate in scale to the original structure and avoid harm to the rural character of the area. The existing outbuilding, originally permitted as a detached garage with storage above (ref: F/04/50879), is a modest, single-purpose structure ancillary to the main dwelling, characterised by its limited footprint and utilitarian design. In contrast, the proposed two-storey extension, with its prominent gabled form and large glazing, would significantly increase the building's massing and visual prominence, more than doubling its functional capacity. This disproportionate scale would disrupt the subservient relationship with the host dwelling, shifting the outbuilding into a dominant element within the plot. The resultant structure would introduce adverse impacts on the open, undeveloped character of the surrounding countryside, defined by low-density development, paddocks, and grazing fields. While the use of matching materials, such as brickwork, oak, and timber cladding, aims to harmonise with the existing outbuilding, this does not reduce the overbearing impact of the enlarged form within this rural context. As a result, the proposal conflicts with Policy DM1, which requires all development to respect and enhance the character and appearance of the locality.
- Even if the development were considered a new independent dwelling, given its proposed layout and facilities, it would fail to meet essential planning requirements for such a classification. The submitted plans do not demonstrate that a dedicated garden or private amenity space would be provided to serve the resultant unit, a fundamental requirement to ensure acceptable living standards for residential accommodation. Similarly, no provision is made for independent parking arrangements. Furthermore, the application does not address impacts on European protected sites through financial contributions or mitigation measures, as required under the Habitats Regulations. This absence of supporting provisions worsens the proposal's acceptability, making it unacceptable even under an alternative interpretation.
- In summary, the cumulative impact of the proposed layout, scale, and design would result in a development that neither functions appropriately as an annexe nor meets the standards for a new dwelling in the countryside. The excessive size and independent nature of the unit conflict with Policy S5 by introducing an inappropriate residential unit outside the urban edge, while its disproportionate scale breaches Policies DM1 and DM26 by harming the rural character of the area. Although the applicant's need for additional accommodation is acknowledged, personal circumstances cannot be considered a material determining factor in this application. For these reasons, the proposal cannot be supported and is recommended for refusal.

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.
- The proposed development is situated at a sufficient distance from neighbouring properties, such that its direct impact on residential amenity is expected to be limited, avoiding significant issues of overlooking, loss of privacy, or overshadowing.

Ecology

- Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) stipulates that the Borough Council will work with statutory and voluntary agencies and developers to; protect, conserve and enhance areas subject to international, national and local nature conservation designations, and promote the net gain of biodiversity on all sites through the protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.
- The application site lies in an area with records of bats in the vicinity, and the proposed development involves extensive works to the roof of the existing outbuilding. Given this potential for ecological impact, the Council's ecologist was consulted as part of the application process.
- Following a review of site photographs, the ecologist has advised that no obvious bat roost features are evident on the gable end or roof of the outbuilding, suggesting that the structure itself does not currently provide suitable roosting opportunities. The existing stairs and balcony, which would be demolished, consist of hardstanding and is therefore unlikely to offer a suitable habitat for reptiles or badgers. However, a pile of wood located under the balcony could potentially shelter small animals, and it is recommended that this be moved by hand prior to works commencing to avoid harm to any wildlife present. Additionally, the shrubs adjacent to the outbuilding may provide habitat for nesting birds. Should their removal be necessary to facilitate access, this should occur outside the bird nesting season (typically March to August) or following a check by a qualified ecologist immediately prior to removal. If active nests are identified, all works must cease, and a 5-metre buffer must be established around the nest to prevent disturbance until the chicks have fledged and vacated the nest. To mitigate the broader ecological impact and enhance biodiversity, a condition could be applied requiring a biodiversity enhancement plan, specifying the installation of bat and swift nest boxes in suitable locations, alongside controls on exterior lighting to ensure that entrances to bat boxes remain unilluminated. Notwithstanding these findings, the ecological considerations do not outweigh the fundamental policy objections to the proposal, as outlined above in this report.

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 Environment 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:

Reasons of refusal

The proposed alterations and extensions to the existing outbuilding, by reason of their mass, scale, and independent functionality, would transform the modest ancillary structure into a four-bedroom residential unit, amounting to a new dwelling in the countryside that is unacceptable in principle under Policy S5 of the Eastleigh Borough Local Plan (2016-2036). This increased scale would also fail to respect the host dwelling and rural character of the countryside, contrary to Policies DM1 and DM26 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2024).

Recommendation:

PERMIT ☐

REFUSE ☒