

Chandlers Ford and Hilingbury Local Area Committee: Wednesday 6 June 2018.

Application Number: H/18/82790
Case Officer: Rosie Rivers
Received Date: Monday 26 March 2018
Site Address: 28 MALCOLM CLOSE, CHANDLER'S FORD, EASTLEIGH, SO53 5BL
Applicant: Audrey Douglas
Proposal: Retrospective: single storey rear extension

Recommendation: PERMIT

CONDITIONS AND REASONS

- 1 The development hereby permitted shall be implemented in accordance with the following plans numbered: LOC 01, BLO 02, 01 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Within 4 months of the date of this decision the extension shall be white rendered as detailed in section 11 of the planning application form and therefore maintained for the life time of the development. Reason: In the interests of visual amenity.

Note to Applicant: In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, 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 because the applicant is related to a member of Development Management staff.

Description of Application

1. The application is a retrospective application for a single storey extension to the rear of the dwelling. The extension provides a WC and shower room for the existing dwelling.

Site Characteristics

2. The site consists of a two storey terraced property located to the eastern side of Malcolm Close. The property has a single storey extension to the front of the property and a further single storey extension to the rear of the property. There is space at the front of the property for parking.

3. The rear garden slopes steeply upwards from the dwelling. A Tree Preservation Order (TPO) tree is located to the rear of the garden. This will be unaffected by the development.
4. The properties in Malcolm Close are mixed in terms of their form and design, but generally consist of two storey semi-detached and terraced properties.

Relevant Planning History

5. PN/17/81878: Prior notification: Single storey rear extension - depth of extension 2.5 metres, depth from rear wall of original dwelling house 6 metres, width 2.4 metres, overall height 2.45 metres. Prior approval granted 05/12/2017
6. T/11928/002/00: Crown reduction of oak in rear by no more than 20% and reduce stem nearest to property by 50%. Consent refused 18/07/2001

Representations Received

7. One letter of objection from the adjoining neighbouring property has been received on the following grounds:
 - Loss of sunlight to patio and ground floor of property
 - Visually intrusive in terms of light deprivation and oppressive appearance
 - Unsightly because of differing roof heights
 - Impact on security

Consultation Responses

8. **Chandlers Ford Parish Council:** No comments received

Policy Context: Designation Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area
- Partially within Flood Zones 2 and 3
- TPO tree to rear of garden
- Within Chandlers Ford and Hiltingbury Character Area (Kingsway)

Development Plan Saved Policies and Emerging Local Plan Policies

- Eastleigh Borough Local Plan Review 2001-2011 saved Policies: 59.BE, 43.ES, 44.ES
- Submitted Eastleigh Borough Local Plan 2011-2029, July 2014 Policies: DM1, DM4

9. The Submitted Local Plan comprises: the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and the Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014.

Supplementary Planning Documents

- Supplementary Planning Document: Quality Places (November 2011)
- Chandlers Ford and Hilingbury Character Area Appraisal

National Planning Policy Framework

10. The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
11. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be “out-of-date”. The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.
12. Paragraph 56 of the National Planning Policy Framework states that “The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”
13. Paragraph 64 states that “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

Policy Commentary

14. The above policies and guidance combine to form the criteria against which this application will be assessed.

Assessment of Proposal: Development Plan and / or Legislative Background

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

16. In this case policy issues for consideration include:

Principle

17. The development site falls within the urban edge, and within an established residential area. The principle of development is therefore considered to be acceptable subject to the proposed scheme being appropriate in nature, design and siting, and according with the other relevant requirements of the applicable saved local planning policies and guidance.

18. In this case the most relevant saved local plan policy is 59.BE.

19. Saved Policy 59.BE of the Local Plan requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, a satisfactory means of access and layout for vehicles, cyclists and neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes.

20. Also relevant to this application, is the Chandler's Ford and Hiltingbury Character Area Supplementary Planning Document (SPD), of which the site falls within Kingsway Special Character Area.

21. The guidance contained within this area states that proposals should ensure that:

- a. sufficient garden depth and area is retained by existing or replacement dwellings, commensurate with their size and character, which can accommodate appropriate tree planting in keeping with the character of existing plots.
- b. no healthy mature trees would be felled or likely to be damaged
- c. the design of any new building work, including extensions, is compatible with the character of adjacent good quality properties and fits well into the overall street-scene

Planning history

22. The planning history of this site is also of relevance. Application PN/17/81878 for prior notification for a single storey extension was granted in December 2017. This extension however has not been built in accordance with the details set out in the prior approval application and therefore planning permission is now required.
23. The prior notification application stated that the extension would have a maximum height of 2.45m, the height of the extension that has been built however has a ridge height of 2.8m. All other dimensions remain as previously approved.

Character and appearance

24. The single storey extension would project 2.5m from the rear of the existing dwelling and measure 2.8m in height. The extension is positioned to the rear of an existing single storey extension at the rear of the dwelling. It is considered that the extension is a modest addition to the dwelling due its depth of 2.5m. The extension is also acceptable in terms of its form and design. It is acknowledged that the joining of the extension to the existing extension at the rear of the property appears a little awkward, however, this is not considered to warrant a reason for refusal in itself as this has little material impact on the character of the area.
25. The extension is also located to the rear of the dwelling and would not be visible within the street scene. This, when combined with the acceptable form and design of the extension, results in a development that is not considered to cause material harm to the wider character of the area. The proposal is therefore considered to comply with policy 59.BE of the Saved Local Plan and the Character Area Appraisal SPD.
26. It is noted that the extension has not been fully completed and the block work of the extension is still visible. The extension is proposed to be white rendered, to tie in with the existing rear extension which is partially finished in this manner. A condition is recommended to ensure that the external rendering of the extension is completed within a reasonable time frame.

Residential amenity

27. The extension is positioned on the boundary with the neighbouring property no.29 Malcolm Close. The neighbouring property has a single storey extension to the rear that is a similar form and depth to the existing single storey extension on the application property. Whilst acknowledging this close proximity, due to the modest depth of the extension and the limited height of the proposal, it is not considered to cause unacceptable material harm to the amenity of the neighbouring property in terms of over dominance or overbearing impact.
28. The occupier of the neighbouring property has raised concerns regarding loss of light to the patio area and ground floor of their

property. These concerns have been carefully considered, however, the development complies with the light test set out in the Council's Quality Places SPD for rear extensions and therefore the development is not considered to result in an unacceptable material loss of light to the neighbouring property. Whilst there may be some loss of light to the rear patio area to a limited degree, it is not considered that this would result in sufficient material harm to warrant a reason for refusal in this case. The proposal is therefore not considered to cause material harm to the amenity of the occupiers of the neighbouring property in terms of loss of light or over dominance. The proposal therefore complies with Saved Policy 59.BE of the adopted Local Plan in this respect.

Flood risk

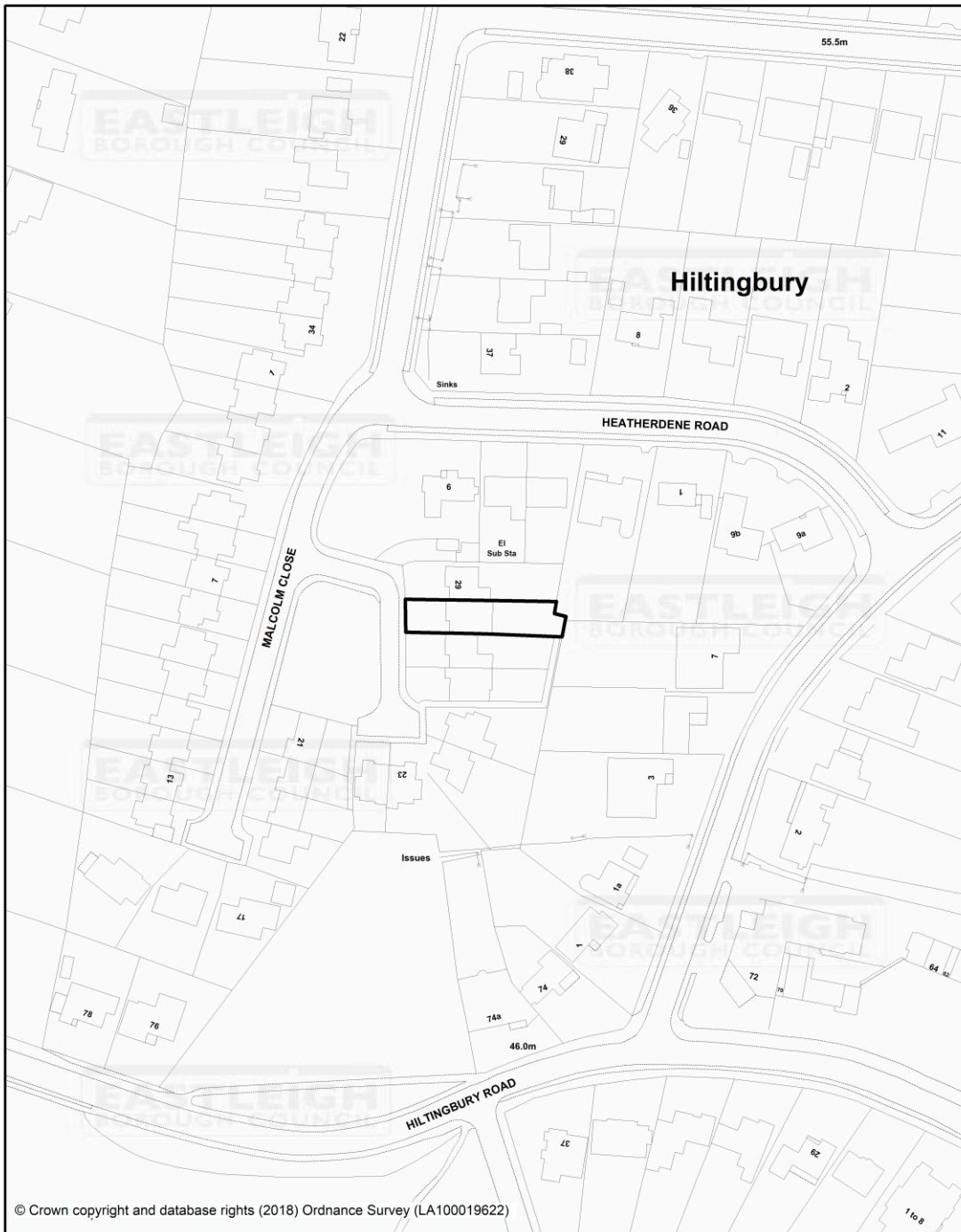
29. Saved policies 43.ES and 44.ES relate to flooding and erosion and require that proposals in areas at risk of flooding demonstrate that the development site is adequately defended from flooding, that the proposals will not harm the integrity of flood defence structures, increase the number of people at risk of flooding, and incorporate flood mitigation measures where necessary.
30. Part of the extension lies with Flood Zones 2 and 3. The applicant has completed the Environment Agency's proforma confirming that the finished floor level of the extension will be set no lower than the existing floor level and flood proofing measures will be incorporated where necessary. Accordingly, the application complies with the Environment Agency's relevant guidance in this respect. There is therefore no conflict with the above mentioned Local Plan policies.

Other material considerations

31. Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

Conclusion

32. In light of the assessment above, the development is considered to comply with the relevant Local Plan policies and is consistent with the National Planning Policy Framework



EASTLEIGH
BOROUGH COUNCIL

H/18/82790

Title:
28 Malcolm Close,
Chandler's Ford, SO53 5BL

Scale:
1:1250

Map Ref:
SU4422SW

Date:
24/05/2018

