REF. NO. F/13/72626

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Single storey rear extension. 33 Longmead Avenue, Bishopstoke, Eastleigh, SO50 6EP.

SITE VISIT DATE – 04/07/2013

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above to provide enlarged ground floor accommodation.
SITE AREA	n/a
RESIDENTIAL DEVELOPMENT DENSITY (NET)	No change.
TOPOGRAPHY	Flat and level.
TREES	None affected.
BOUNDARY TREATMENT	The rear garden boundaries are marked by 2.0 metre high hedges.
SITE CHARACTERISTICS	1920s/30s red brick semi-detached two storey house with an existing single and two storey rear extension. To the front is a small garden, with parking on street and to the rear is a good size garden.
CHARACTER OF LOCALITY	The surrounding area is residential in nature and made up of small terraces and semi-detached dwellings dating from the 1920s & 30s.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/39644/001/00	One and two storey rear extensions (amended design).	Approved Jul 2003
Z/39644/000/00	One and two storey rear extensions.	Refused Apr 2003

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None received.	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Environmental Health	The application site is on a former brick works which has the potential for ground contamination. Therefore a condition requiring a risk assessment and contamination report to be submitted and mitigation measures to be agreed with the LPA prior to works commencing is recommended.

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Bishopstoke Parish Council	No objection.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011): 59.BE
Pre submission Eastleigh Borough Local Plan 2011-2029: DM1
Supplementary Planning Document: Quality Places
Supplementary Planning Document: Character Area Appraisals – Bishopstoke, Fair Oak and Horton Heath (BIFOHH 3)
Supplementary Planning Document: Residential Parking Standards

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the principle of that proposed, including recent permitted development changes, the proposal's layout and design, its impact upon the residential amenity of neighbouring properties, as well as upon the general character of the surrounding area.

COMMENT ON CONSULTATION RESPONSES

The recommended condition is noted but to require a full contamination report for what is a small domestic extension is considered to be excessive, particularly considering the cost of such a report would be a considerable percentage of the actual building works. In addition to this, it is a matter which can be covered by building regulations. However, a note to application will be included to make them aware of the potential issue and that it should be taken into consideration as part of the building works.

COMMENT ON REPRESENTATIONS RECEIVED

n/a

PLANNING OBLIGATION/CONSIDERATIONS

n/a

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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

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made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies.

In this case policy issues for consideration include:

Principle – The application site lies within the urban edge where the basic principle of development is considered to be acceptable, with any formal planning approval being based upon the exact nature, design and impact of that proposed being considered appropriate and in accordance with the relevant local plan policies and supplementary guidance. The most relevant policy in this case is saved Policy 59.BE of the Local Plan which 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, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes. Also of relevance is Policy DM1 of the Pre-submission Eastleigh Borough Local Plan 2011-2029 which essentially reiterates the above requirements.

A further issue to be considered when determining this application is the recent changes to the permitted development regulations for single storey rear extensions to dwellinghouses. This change increases the depth of what is allowed under permitted development from 3.0 metres from the original rear wall to 6.0 metres for terraced and semi-detached properties. This is only intended for a temporary three year period and uses a form of prior notification procedure, similar to a formal planning application. While the proposed rear extension does not fall within this new permitted development legislation, it is only marginally larger and therefore is a significant material consideration.

Layout & Design – The proposed rear extension at 6.3 metres deep from the original rear wall of the dwelling is only 0.3 metres more than what can be constructed under permitted development. In terms of its height, etc, the proposal meets all of the other permitted development requirements. It is considered to be acceptable in terms of its appearance, while flat roofed it is nonetheless appropriate to the main house and a condition requiring materials to match is recommended. Sufficient rear garden area will remain and there is no need for increased parking as the proposal will only enlarge the ground floor living accommodation.

Residential Amenity – While an extension of such a depth on the shared boundary of a semi-detached or terraced dwelling would not usually be considered acceptable for reasons of loss of outlook to the adjoining property, the recent permitted development changes must be taken into consideration. As has been mentioned above, an extension which would usually fall within these new regulations must go through a form of prior notification procedure, which would involve the immediate neighbours being consulted on the proposals. If an objection is raise then the Local Planning Authority must determine whether the proposal would have an adverse impact upon the neighbour's amenity, if it would then permission for the extension could be refused. However, if no objections from any neighbours are received, then the proposal is automatically deemed to be acceptable and approval must be granted.

While the proposal for the application property does not fall within the limits of this new legislation, given it is only marginally larger it would be reasonable to consider its impact in a similar way to the prior notification procedure, i.e. have any objections been received from neighbouring properties? In this instance no representations either for or against have been received. That being this case, it is reasonable to assume that the adjoining neighbour would equally raise no objection were the proposed extension to fall within the new legislation limits

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and the prior notification procedure used, meaning that as far as permitted development is concerned, an extension of 6.0 metre depth would be deemed to have no adverse impact upon amenity. Therefore, it would be hard to argue that an extension only 0.3 metres greater in depth would have such a significant additional adverse impact that it would be unacceptable and that the application should be refused.

While an extension of such a size would not usually be considered appropriate, the recent permitted development changes have moved the boundaries of what is considered acceptable, meaning that that proposed is now acceptable.

Area Character – Given that the proposed extension is to the rear of the dwelling and not visible from any public vantage points, there are no concerns with regards to any impact upon the street scene of Longmead Avenue. With regards to the proposal's impact upon the general character of the surrounding area, again there are no significant concerns.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the pre-submission Eastleigh Borough Local Plan 2011-2029. 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.

CONCLUSIONS

With the recent changes to permitted development legislation, that proposed is now considered to be acceptable and therefore meets the requirements of saved Policy 59.BE of the adopted local plan, as well as the guidance contained in the Council's 'Quality Places' Supplementary Planning Document. The application is therefore recommended for approval subject to conditions.