HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. F/14/74151

DESCRIPTION	Addition of first floor rear balcony.
ADDRESS	Crimond Rutland Gardens Bursledon Southampton SO31 8FZ

SITE VISIT DATE	29 April 2014
ARE PLANS ACCURATE?	It is considered that the submitted drawings provide sufficient detail to allow for a full and proper assessment of the development proposed.
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application seeks approval for the addition of a first floor rear balcony measuring 1.5m in depth and 2.3m in width. The balcony would be accessed by way of a single door from the property's landing which is to be installed in place of an existing rear facing window. The balcony will have a clear glass surround with metal handrail at a height of 1.1m.
TOPOGRAPHY	The site slopes down towards the rear boundary of the plot. In line with the gradient of Rutland Gardens there is a general stepping up in ground levels between neighbouring properties moving in a northerly direction along the road. As a result of this topography Crimond is in an elevated position relative to the neighbouring dwellings to the immediate rear and southern sides of the site, La Roc and Rutland House respectively.
TREES	Owing to the nature and siting of development, there will be no trees affected by the proposals.
BOUNDARY TREATMENT	The majority of the northern boundary of the property's rear garden is formed of the side elevation of the neighbouring dwelling, Westwood. The rear boundary with La Roc consists of 1.8m high close-boarded timber fencing whilst the southern boundary which runs adjacent to the vehicular access to this property is marked by dense hedging of a similar height.
SITE CHARACTERISTICS	Crimond is a detached bungalow with a hipped roof and front and rear box-type dormer windows. The property has off-road parking provided by way of a driveway to the front with there being private amenity space to the rear.
CHARACTER OF LOCALITY	The site is situated within an established residential area and forms part of the cul-de-sac Rutland Gardens which is made up of a mixture of two-storey dwellings and detached dormer bungalows of a variety of scales and designs.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/19222/000	Loft conversion and dormer windows	PERMIT – 22/02/1979

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/39429/001	Outline: Construction of chalet bungalow with access from Rutland Gardens (Land to the rear of Crimond)	WITHDRAWN – 25/05/2005
F/04/50767	Construction of chalet bungalow with access from Rutland Gardens (Land to the rear of Crimond)	REFUSE – 08/07/2004
F/04/51737	Construction of chalet bungalow with access from Rutland Gardens (amended design) (Land to the rear of Crimond)	PERMIT – 30/09/2004

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Bursledon Parish Council	(11/04/2014): 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), Saved Policy 59.BE
Revised Pre-Submission Eastleigh Borough Local Plan 2011-2029, Policy DM1
Supplementary Planning Guidance: Quality Places

CHARACTER APPRAISAL AREA

Bursledon, Hamble-le-Rice and Hound Character Area – *BHH 51* (Summary Description Only):

"1970s semi-detached/detached development on a multi-headed cul-de-sac in north Bursledon".

SPECIAL POLICY AREA

The site does not fall within a designated special policy area.

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework:

Of particular relevance to this application are both paragraph 17 which *inter alia* states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, as well as *Section 7: Requiring good design* which stipulates that good design is a key aspect of sustainable development and is indivisible from good planning; that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment; and 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

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the principle of the development proposed, its design and siting, as well as its impact upon the amenity of neighbouring residential properties and the character of the area.

COMMENT ON CONSULTATION RESPONSES

None received		See below		
Other – the comments of Bursledon Parish Council are noted.				

COMMENT ON REPRESENTATIONS RECEIVED

None received	X	See below		
Other …				

PLANNING OBLIGATION/CONSIDERATIONS

There are no planning obligations requirements in respect of this planning application.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Legislative Background:

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."

Development Plan Policies:

Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011) 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, noise and fumes.

MATERIAL CONSIDERATIONS

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 planning documents and guidance.

Assessment of proposals:

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

The balcony is relatively modest in terms of its size and scale and is not disproportionate to, nor will it overdominate the rear roof slope of the property. As the development is sited to the rear of the application dwelling and will not extend above the height of the existing dormer, it will also have no impact upon the Rutland Gardens street scene.

As a result of the siting and nature of the development proposed, the primary consideration in respect of the application therefore concerns the impact that the provision of the first floor rear balcony would have upon the amenity of the occupiers of neighbouring residential properties and whether or not it would allow for an undue level of overlooking towards their respective areas of private amenity space.

Having, during the Case Officer's site visit, assessed the view out of the existing first floor rear window which is to be replaced by a door providing access to the balcony, it is apparent that views are afforded from this position towards the garden areas of a number of neighbouring dwellings, most notably Rutland House to the south as well as Westwood to the north but also including those properties along Portsmouth Road to the south-west. This view would be even greater from a position up to 1.5m closer to the eaves of the property which is the extent of the projection of the balcony from the rear dormer, and owing to the open nature and the general usage of such structures which allow for the occupants of a dwelling to sit out upon them for a prolonged period of time, it is considered that an unacceptable level of overlooking would result from the development proposed, to the detriment of the residential amenity of the occupiers of neighbouring properties. As it is not felt that this impact could be adequately mitigated through the imposition of a planning condition requiring the provision of some form of high-level screening to surround the balcony, the proposals are deemed to be in conflict with the requirements of Saved Policy 59.BE of the Eastleigh Borough Local Plan Review 2001-2011.

Overall, for the reasons as outlined above, the application is considered to conflict with the requirements of the relevant development plan policies, associated supplementary planning guidance, and national planning policy.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the Revised 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.

CONCLUSION

The application is recommended for refusal.