HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. F/14/74188

ADDRESS	51 Linden Grove, Chandler's Ford, Eastleigh, SO53 1LE
DESCRIPTION	Retention of summer house at rear

SITE VISIT DATE	16/4/2014
ARE PLANS ACCURATE?	Yes, though amended plans were sought
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS	
DETAILED DESCRIPTION OF APPLICATION	• The application is proposing the retention of the summer house which has been substantially complete • The summer house projects 7.2 metres in depth, extends 6.4 metres in width and is 4 metres in height and 4.4 in overall height with the chimney
TOPOGRAPHY	• Generally flat and level with a slight downward slope towards the rear
TREES	• There are no trees on site that have be affected by this proposal
BOUNDARY TREATMENT	• The boundary treatment consists of an approximate 1.8 metre tall fence
SITE CHARACTERISTICS	• The site contains a two storey detached dwelling at the end of Linden Grove • At the front elevation there is hardstanding sufficient for 2/3 vehicles • There is a single storey detached pitched roof garage at the front elevation • The rear garden has a mix of soft and hard landscaping
CHARACTER OF LOCALITY	• The immediate surrounding area contains bungalows some of which have accommodation in the first floor

RELEVANT PLANNING HISTORY		
REFERENCE	DESCRIPTION	DECISION
F/07/60466	One and two storey side extension with 2 No. rear dormer windows and erection of detached double garage/carport at front following demolition of existing garage	Refused 23/8/2007
F/07/61167	1 and 2 storey side extension and erection of single garage at front following demolition of existing	Granted 12/11/2007

REPRESENTATIONS RECEIVED	
SOURCE	SUMMARY OF CONTENT
Occupiers of 8 Common Gardens	Summer house is visually intrusive The height of the apex of the roof and chimney The colour of the roof tile

CONSULTATION RESPONSES	
CONSULTEE	SUMMARY OF RESPONSE
Chandler's Ford 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
Saved policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011) Policy DM1 of the Revised Pre-Submission Eastleigh Borough Local Plan 2011-2029 Supplementary Planning Guidance : Quality Places (2009)

CHARACTER APPRAISAL AREA

Chandler's Ford and Hiltingbury Character Area

SPECIAL POLICY AREA

NA

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework Of particular relevance to this application is *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

NATIONAL PLANNING POLICY GUIDANCE

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 residential amenity, highway matters, trees, street scene and character of the area

COMMENT ON CONSULTATION RESPONSES

NA

COMMENT ON REPRESENTATIONS RECEIVED

These will be addressed in the report.

PLANNING OBLIGATION/CONSIDERATIONS

Not applicable

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 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, 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 of development

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

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

with the relevant Local Plan policies and supplementary planning documents and guidance.

Impact on the Character and Appearance of the Area & Residential Amenity

The application is proposing the retention of the summer house and is the subject of a planning enforcement case, which has been substantially completed.
A neighbour has objected to the proposal on the grounds that the summer house is visually intrusive, the height of the apex of the roof and chimney, and the colour of the roof tiles.

The applicants constructed the summer house following advice (not from the LPA) that an outbuilding can be constructed using their permitted development rights. The summer house in fact exceeds the criteria of part E of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, as it is within 1.5 metres of the boundary rather than two metres with the height of the pitched roof is four metres.

There is more than 15 metres separation distance from the rear of the summer house and the rear of the objectors. An assessment of the summer house from the applicants rear garden observed that the very top of the apex and chimney is visible to these objectors, yet it is not considered to be visually intrusive. Most form of development will be visible to neighbours, and proposals should not cause undue harm to the outlook of neigbours. Whilst it is acknowledged that yes the summer house is no doubt visible, it is also acknowledged that it is not taller than the host dwelling, and that the separation distance is sufficient to mitigate any undue harm. Furthermore it must also be acknowledged that had the structure been built within two metres of the boundary, the local planning authority would not have had control over the choice of materials. It is worth noting that the occupiers of number 47 whom have full view of the structure have not objected.

The roof tiles would have appeared more in keeping with the host dwelling had they matched, as the roof and hanging tiles of the host dwelling are of a grey colour. During a recent site visit the applicant acknowledged that the tiles do not match the host dwelling, (the summer house has yet to be completed where it will be painted), and it was also observed that the roof tiles of nearby properties vary in colour. So whilst a condition requiring material to match is a standard condition that is used when granting planning permission, in this instance as there is different colours of roof tiles, it is not considered expedient to request their removal.

The summer house is not a summer house in the tradition sense. It is based on a Mexican summer house and features a wood/stone fire to make pizzas. Environmental Health have been made aware of the structure and whether there would be an issue with the smoke arising from the cooking (for personal use). Odours arising from the structure which neighbours may find offensive is considered to be a statutory nuisance, and as such would have to be reported to Environmental Health. It is not something which is dealt within the planning remit.

The objector had requested to meet the case officer; this was undertaken at the Council offices.

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

It is considered that on balance the summer house does not have undue impact to the character and appearance of the surrounding area, or to neighbouring occupiers in accordance with saved policy 59.BE Eastleigh Borough Local Plan Review (2001-2011), and the Supplementary Planning Guidance: Quality Places (2009).