PRIOR NOTIFICATION HOUSEHOLDER APPLICATION REPORT Ref No. J/15/77498

DESCRIPTION	Single storey rear extension - width 9.76 m, depth 6.55 m from rear of utility room 5.64 m depth from rear of kitchen/dining room, overall height 3.45 m, height to eaves 2.4 m
ADDRESS	6 Windsor Gate Eastleigh SO50 4PU

SITE VISIT DATE	13.10.2015 (Charlotte Haines & Jagdeep Birk)
ARE PLANS ACCURATE?	yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application is for prior approval for the erection of a single storey rear extension of the dimensions given in the above description. The extension is to provide a study and kitchen/dining/family room.
TOPOGRAPHY	The site slopes up gently from the street with the house sitting approximately 0.75 metres higher than the footway, with the rear garden levelling out.
TREES	One small tree positioned within the rear garden adjacent to eastern boundary. The tree is not covered by a TPO.
BOUNDARY TREATMENT	Open to the front. Boundaries to rear garden are a mixture of hedging and 1.8 metre high timber fencing.
SITE CHARACTERISTICS	1980s two storey detached dwelling with attached single garage to the side. Driveway to the front which can accommodate at least four cars, front garden and reasonable size garden to the rear.
CHARACTER OF LOCALITY	The surrounding area is residential in nature and made up of detached and semi-detached dwellings of a similar style and age to the application dwelling.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/15/75893	First floor side and rear extension and single storey rear extension	PERMIT 15/06/2015

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
7 Windsor Gate	Loss of light to side kitchen window, visual impact, over-development of the property, additional depth would adversely affect the residential amenity, benefit and enjoyment of their own property. Restrictive covenants which require consent from Cranbury Estates & Taylor Wimpey.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
None	

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 policies 59.BE

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, DM1 (the Submitted Local Plan) comprising:

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

Supplementary Planning Guidance : Quality Places

CHARACTER APPRAISAL AREA

Eastleigh Character Area (ELAC 30)

SPECIAL POLICY AREA

N/A

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

COMMENT ON CONSULTATION RESPONSES

None received	X	See below		

COMMENT ON REPRESENTATIONS RECEIVED

	None received		See below	X	

With regard to any restrictive covenants, these are not a planning consideration and need to be dealt with separately by the applicant. For other comments see main considerations section below.

PLANNING OBLIGATION/CONSIDERATIONS

Not applicable

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Legislative Background:

The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 allows for the construction of single storey rear extensions for detached dwellings of up to 8 metres in depth subject to it conforming with a number of other size limitations and a specified prior notification process being followed. As stated within these regulations, where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.

In this regard and in assessing such impact, 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 consideration indicate otherwise".

The relevant development plan policies to this proposal are Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011) which, in respect of the matter of residential amenity, requires that development avoids unduly impacting on neighbouring uses through overbearing impact, overlooking, loss of light, loss of outlook, noise and/or fumes, as well as Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029 which essentially replicates its requirements in this regard. The Council's adopted Quality Places Supplementary Planning Document provides further detailed guidance in support of these policies.

Permitted Development:

The proposed extension is considered to conform with the criteria as set out in the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 in respect of its size and siting. The extension is positioned to the rear of a detached dwelling and does not extend beyond its rear elevation by more than 8 metres. The overall height of the extension is less than 4 metres and the height to the eaves is less than 3 metres within 2 metres of the boundary. In addition, and as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse). As the occupiers of a neighbouring property have, however, made representations on the proposals, in accordance with the aforementioned regulations, prior approval is required for the development and the Local Planning Authority must assess the proposals in terms of their impact upon the amenity of any adjoining premises.

Residential Amenity:

The occupiers of No.7 Windsor Gate have made representations on the application specifically in relation to the matter of the potential for a loss of light to occur to their side kitchen window and visual impact. Planning Officers have visited the site and assessed the proposals based on the detailed information submitted. Whilst the concerns raised are noted, it is not considered that the extension will have an unacceptable impact upon the amenity of the occupiers of 7 Windsor Gate such as to be in conflict with the requirements of Saved Policy 59.BE of the adopted Local Plan.

Whilst the extension is larger than the previously approved extension, it is still of a single storey design with an eaves height of 2.4 m and due to the staggered nature of the properties themselves and their rear elevations, the proposed extension will project less than 1.5m beyond the main rear elevation of number 7. Whilst the side facing kitchen window would face the proposed extension, this is a secondary window and the main kitchen window faces the rear of the property. It is therefore considered that there will not be an unacceptable loss of light to the kitchen of number 7 or an

unacceptable impact upon the amenity or outlook of neighbouring properties.

OTHER MATERIAL CONSIDERATIONS

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

For the reasons as set out above, it is not considered that the proposals will impact unduly upon the amenity of the occupiers of neighbouring properties and as such it is recommended that prior approval be granted.