HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. J/15/75921

DESCRIPTION	Single storey rear extension - maximum width 3.66 metres, depth 5.75 metres, overall height 3.5 metres height to eaves 2.4 metres
ADDRESS	4 Merrieleas Close Chandler's Ford Eastleigh SO53 2FP

SITE VISIT DATE	2 March 2015
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 with dimensions as per the above description.
TOPOGRAPHY	The application site is fairly flat and level. Merrieleas Close slopes up towards the East and therefore number 3 is sited on a lower ground level than the application site.
TREES	There will be no trees affected by the proposed development.
BOUNDARY TREATMENT	1.8 m high close board fencing and mature shrubs
SITE CHARACTERISTICS	The application property is a brick built bungalow. With a side driveway leading to a detached garage, set in a reasonable sized plot.
CHARACTER OF LOCALITY	The site lies within an established residential area in a quiet close of detached properties.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/31128/000/00	SINGLE STOREY REAR EXTENSION	PERMIT 14/09/1989

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
3 Merrieleas Close	"I have some serious concerns regarding the amount of light that I receive to my dining room and kitchen. This is very poor at the moment, and I believe that the proposed development will further reduce the light in both my kitchen and dining room. Could I please request under the BRE daylight and sunlight guidelines that a BRE assessment is undertaken to ensure that the above development will not further reduce the light to my kitchen and dining room and protect my right to light."

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 policy 59.BE

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (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' Policy DM1

Supplementary Planning Guidance : Quality Places

CHARACTER APPRAISAL AREA

Chandler's Ford and Hiltingbury Character Area

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 is Paragraph 17 which states that planning should always seek to secure a good standard of amenity for all existing and furture occupants of land and buildings.

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to permitted development and the impact of the proposed extension upon the amenity of the occupiers of neighbouring properties.

COMMENT ON CONSULTATION RESPONSES

None received	X	See below		
Other …				

COMMENT ON REPRESENTATIONS RECEIVED

	None received		See below	X	
Other …					

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 2013 allows for the construction of single storey rear extensions for detached dwellings of up to 8m 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 considerations 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 2013 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 8m. The overall height of the extension is less than 4m and the height to the eaves less than 3m within 2m 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 representation 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 occupier of No.3 Merrieleas Close has made representations on the application specifically in relation to the matter of the potential for a loss of light to occur to their dining room and kitchen. Having visited the site and assessed the proposals based on the information submitted, whilst these concerns are noted, it is not considered that the extension will have an unacceptable impact upon the amenity of the occupiers of No. 3 Merrieleas Close such as to be in conflict with the requirements of Saved Policy 59.BE of the adopted Local Plan, the associated guidance contained within the Council's adopted Quality Places SPD, or the National Planning Policy Framework.

It is accepted that the extension is fairly sizeable in terms of its depth at 5.75m but it is positioned approximately 3.7 metres from the boundary with No. 3. In addition, it will also be positioned to the north east of No. 3. Taking account of these factors and having regard to the movement of the sun, it is not

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

considered that the development will result in any unacceptable level of loss of outlook from or light to the neighbouring property and the proposals comply with the light tests (which area based on the BRE daylight and sunlight guidelines) for rear extensions as set out in the aforementioned Quality Places SPD in this regard. Owing to the distance between the extension and no 3 it is also not considered that the development will be unduly overbearing.

There will be no impact upon the amenity of the occupiers of the neighbouring dwellings to the rear of the property due to the garden size and mature planting and no impact to the property at number 5 as the extension will be located on the other side of the existing extension and will not be clearly visible by the occupiers of number 5.

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.