REF. NO. F/17/80074

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Alterations to existing rear outbuilding to form first floor living accommodation. 60 Chamberlayne Road, Eastleigh, SO50 5JH

SITE VISIT DATE – 24/03/2017

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for the addition of a pitched roof to an existing flat roof garage at the rear of the site. The intension is that the roof would be of a sufficient height to provide first floor accommodation.
SITE AREA	Approx 277 sqm.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	n/a
TOPOGRAPHY	Flat and level.
TREES	No trees on or adjacent to the site.
BOUNDARY TREATMENT	1.8 metre close board timber fence to both side and rear boundaries, with gates onto Blenheim Road.
SITE CHARACTERISTICS	1930s two storey semi-detached dwelling with single storey rear extension on a corner plot. Garden to front and rear, with flat roof garage to the rear of the site with direct access onto Blenheim Road.
CHARACTER OF LOCALITY	The surrounding area is predominantly residential in nature and is made up of two storey 1930s semis and late Victorian terrace dwellings in a gridiron layout with service ways/alleyways to the rear.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/09/66044	Erection of detached garage/workshop at rear.	Refused Dec 2009
F/06/56298	Erection of 1No. 2 bed chalet style bungalow.	Refused Apr 2006
F/04/52716	Erection of 2 bedroom detached dwelling.	Refused Jan 2005
Z/36104/002/00	Erection of detached garage & workshop at rear with vehicular access from Blenheim Road.	Approved Jul 2001
Z/36104/001/00	Single storey rear extension.	Approved Sep 1999

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Lagdon – 23 Blenheim Road	Object. Loss of light and overlooking of neighbours. The height and scale of the building would appear out of place. Concerns that the new accommodation would be rented out as living accommodation. Additional parking problems.
Steward – 113 Cranbury Road	Object. Out of keeping with the area, visually intrusive and too high. Loss of privacy and light to neighbours. Concerns given previous proposals for the site and would set a precedent.
Everett – 178 Chamberlayne Road	Object. Not in keeping with area. No other outbuildings contain first floor accommodation. Would set a precedent for similar development. Would result in loss of amenity to neighbours. Insufficient parking. Concern given previous planning history.
Ryan – 25 Blenheim Road	Object. Unwelcome prominence in the street. Loss of privacy.
Parkinson – 51 Derby Road	Object. Visually intrusive and out of keeping with the area. Would set a precedent and be too large for an outbuilding.
Philcox – 58 Chamberlayne Road	Object. Loss of light and privacy, visually intrusive, overdevelopment and imposing upon garden. Nothing of a similar scale in the area and could set a precedent.
Hatcher – 49 Derby Road	Object. Visually intrusive and out of keeping with the area. Would set a precedent.
Baxter – 54 Chamberlayne Road	Object. Would be visually intrusive and out of keeping with the area.
Russ – 109 Cranbury Road	Object. Out of keeping with the area, overdevelopment of the site, visually intrusive. Is larger than previous refusal so should not be allowed.
Cooper – 5 Chamberlayne Road	Object. Out of character with the area. Overbearing and visually intrusive. Loss of light to neighbours and would set a precedent.
McNamara – 115 Cranbury Road	Object. Concerns that it could be converted to a dwelling. Overdevelopment of the site. Loss of light, potential noise. Excessive in scale and height. Out of character with the area.
Chinchen – 97 Chamberlayne Road	Is interested to know the outcome of the application as would like to undertake the same form of development to their garden.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
n/a	

POLICY CONTEXT

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

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

Eastleigh Borough Local Plan Review (2001-2011), saved Policies 25.NC, 59.BE & 104.T

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' DM1, DM9 & DM24

Supplementary Planning Document: Quality Places
Supplementary Planning Document: Character Area Appraisals - Eastleigh
Supplementary Planning Document: Residential Parking Standards

NATIONAL PLANNING POLICY GUIDANCE

The National Planning Policy Framework (NPPF) supports and encourages sustainable development which is considered to have three roles, economic, social and environmental. Paragraph 8 of the NPPF states that "These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions."

Paragraph 53 of the NPPF states that "Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area."

Paragraph 56 of the National Planning Policy Framework states that "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

It goes on to say in paragraph 64 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 that proposed, its layout, design and impact upon the street scene and character of the surrounding area, the amenity of neighbouring properties, parking and highway issues, as well as nature conservation.

COMMENT ON CONSULTATION RESPONSES

n/a

COMMENT ON REPRESENTATIONS RECEIVED

All comments are noted with a response to the main issues given below. With regards to the concerns of setting a precedent for similar development if the application were to be allowed, while a reasonable concern, this cannot be used as a reason to refuse an application. each application must

COMMENT ON REPRESENTATIONS RECEIVED

be considered on its own merits and a decision made as to whether it is acceptable and accords with the relevant planning policies and guidance.

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

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 Planning Documents. 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, a satisfactory means of access and layout for vehicles, cyclists and pedestrians, to 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 Submitted Eastleigh Borough Local Plan 2011-2029, July 2014, which essentially reiterates the above requirements.

Also of relevance is the past planning history of the site which has included proposals for a dwelling to the rear and most recently a detached garage with pitched roof, planning reference F/09/66044. This garage proposed the same footprint as that which has now been built on site (the existing garage has been constructed under Permitted Development) and also had a pitched roof. However, this roof was much smaller in scale and lower in height than that now being proposed. As can be seen above, this application was refused on the grounds that its “height, size and scale would introduce a feature of unwelcome prominence within the existing street scene and would be at odds with the prevailing character of this section of Blenheim Road, to the detriment of the character and visual amenity of neighbouring properties and the surrounding area.” This earlier decision is a material consideration when determining the present application.

Within the supporting information for that now submitted, reference is made to the need to provide more accommodation in order to allow the applicants to be able to foster more children. While this is a very worthwhile undertaking, personal circumstances or reasons cannot be taken into consideration when determining a planning application, which must be considered purely on planning grounds.

Layout, Design, Street Scene & Area Character – As highlighted above, a similar scheme for a pitched roof garage was refused in December 2009. The overall height of this garage was 4.75 metres with an eaves height of 2.1 metres. That now being proposed has an overall height of 5.0 metres with an eaves height of 2.8 metres. This is clearly larger in both height and bulk to that previously considered unacceptable.

It has been pointed out in supporting information submitted with the application that there are other

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garages nearby with pitched roofs. While this may well be the case, none are of the height of that being proposed for No.60, none have any first floor accommodation or the ability to provide any, and none are in as prominent a location as that of No.60, being at the end of the run of houses and siding onto Blenheim Road.

While in very basic principle terms the proposed enlargement of the existing flat roof garage may well be acceptable, that being proposed is larger than a previous scheme which has already been deemed unacceptable, and given that the site's surrounding context and the general character of the area has not changed significantly since this 2009 application, it is again considered that the proposed addition of a pitched roof and first floor accommodation would result in a feature of unwelcome prominence within the existing street scene and would be at odds with the prevailing character of the area, contrary to saved Policy 59.BE of the adopted Local Plan, DM1 of the Submitted Local Plan, and the Council's 'Quality Places' SPD.

Residential Amenity – Concerns have been expressed with regards to loss of light, privacy and outlook/visual intrusion.

Given the position, proximity and orientation of the garage to neighbouring dwellings it is unlikely that there would be any loss of light to the dwellings themselves. However, there would be overshadowing of the garden of No.58 Chamberlayne Road. This is obviously a concern to occupiers of that property but it is not considered that this could be used as a reason for refusal. Only the very bottom end of the garden would be shaded, leaving three quarters of the garden in sun. Obviously the degree of overshadowing would be worse at certain times of the year when the sun is lower in the sky, but much less so during the summer months when the garden is more likely to be in regular use. This could not therefore be used as a reason to refuse the application.

The proposal includes a number of roof light windows to the western roof slope, which would provide natural light to the proposed first floor accommodation. It is not entirely clear from the submitted drawings at what level these roof lights would be positioned. However, given the need to ensure that the ground floor is still usable, it is likely that the roof lights would be at a height which would allow a person of average height to be able to see out. Given that these roof lights are some 17 metres from the rear windows of No.58 Chamberlayne Road, there is a strong likelihood that an unacceptable level of overlooking and loss of privacy could occur. For comparison, the Council's 'Quality Places' SPD states that first floor rear facing windows should be no less than 22 metres apart.

While there are outbuildings of various forms and scales to the rear of properties in this part of Eastleigh with access from the back services roads, none are of the height and scale of that proposed. This gives the areas between streets and to the rear of properties a fairly open and low rise character. The construction of such a large structure would be entirely out of keeping with the nature of the area and would result in an unacceptably dominating and visually intrusive structure to the detriment of the many neighbouring properties, in particular No.58 Chamberlayne Road.

As such, that proposed would result in an unacceptable impact upon the residential amenity of neighbouring properties in terms of loss of privacy and outlook. as such the application is considered to be contrary to the amenity requirements of saved Policy 59.BE of the adopted Local Plan, DM1 of the Submitted Local Plan, and the Council's 'Quality Places' SPD.

Parking & Highway Issues – Some concerns have been raised that the proposal would result in further parking issues in the area. At present the property benefits from one on-site parking space within the existing garage. A property of this size would usually require a minimum of two parking spaces in order to meet the requirements of the Council's Supplementary Planning Document 'Residential Parking Standard'. It is unclear from the submitted documentation if the property has use of any on street residents parking permits, but it is clear from the submitted information that with the partial conversion of the garage required to gain access to the proposed first floor would result in the space remaining within the garage being under the minimum requirements for it to be considered as

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an off-street parking space. That being the case, it would result in the loss of on-site parking which in turn would increase pressure for on-street parking which is at a premium in this area.

This loss of useable onsite parking provision would be contrary to saved Policies 59.BE and 104.T of the adopted Local Plan, Policy DM24 of the Submitted Local Plan and the Council's Supplementary Planning Document 'Residential Parking Standard'. This will therefore form a reason for refusal.

Nature Conservation – The proposal is not considered to result in a likely significant impact on a European Protected site (SPA, SAC or Ramsar). HRA (Habitat Regulations Assessment) screening was not required for this development as it falls outside the designated zone of impact.

The site falls outside the 5.6km buffer zone for the Solent SPA and is of a type which does not require a contribution to mitigate any increased recreational pressure resulting from the development.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

For the reasons given above, the application is recommended for refusal.