REF. NO. X/14/75545

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Relief of condition 3 and 4 of F/14/75150 to allow render on front elevation and side opening window on southern roof plane. 20 Nichol Road, Chandler's Ford, Eastleigh, SO53 5AS

SITE VISIT DATE – 23/09/2014

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	n/a
RESIDENTIAL DEVELOPMENT DENSITY (NET)	No change.
TOPOGRAPHY	Generally flat and level.
TREES	There are a number of protected trees to the rear of the plot but none would be affected by the proposed works.
BOUNDARY TREATMENT	Open to the front with hedging and fencing to the rear garden boundaries.
SITE CHARACTERISTICS	1950s/60s bungalow with extensions to the side and rear, as well as into the roof space. Open garden to the front with driveway to the side leading to an attached single garage, with a large garden to the rear.
CHARACTER OF LOCALITY	The surrounding area is almost entirely residential in nature and made up of mainly good size detached single and two storey dwellings of varying ages and designs on large plots well treed plots.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/14/75150	Two storey front extension, insertion of side facing rooflights and 1no. Side facing dormer and erection of rear conservatory.	Approved Oct 2014
Z/26969/004/00	Single storey side extension and replacement of roof to provide first floor living accommodation with front and rear facing dormer windows.	Approved Nov 1999
Z/26969/003/00	Single storey side extension and replacement of roof to provide first floor living accommodation with front and rear facing dormer windows.	Refused Jun 1999
Z/26969/002/00	Single storey rear extension.	Approved Jun 1998

REF. NO. X/14/75545

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Angwin – 54 Nichol Road	Can see no reason to justify removal/variation of condition.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Chandler's Ford Parish Council	No comments received.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Within Special Character 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, (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'

Policies: DM1 & DM24

Supplementary Planning Document: Quality Places
Supplementary Planning Document: Chandler's Ford and Hiltingbury Character Areas
Supplementary Planning Document: Residential Parking Standards

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 the reasons why the conditions were applied and justification for their removal/variation.

COMMENT ON CONSULTATION RESPONSES

n/a

COMMENT ON REPRESENTATIONS RECEIVED

See below.

PLANNING OBLIGATION/CONSIDERATIONS

n/a

REF. NO. X/14/75545

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR 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."*

The proposal is considered to comply with relevant Development Plan policies.

In this case policy issues for consideration include:

Condition 3 – Condition 3 of planning permission F/14/75150 states the following:

"(3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour and texture those used on the existing dwelling, with the exception of a rendered finish which shall not be used on the front projection. Reason: A rendered finish on such a large element is considered to be too prominent within the street scene and to ensure a satisfactory visual relationship between the new development and the existing."

This application seeks a variation of this condition to remove the section which makes reference to not using render. Given that render is already used on the dwelling and neighbouring dwellings, as well as the fact that the whole of the dwelling could be rendered under permitted development, it is felt that this element of the condition could be viewed as unnecessary and unjustified. As such the condition will be amended to the flowing:

(3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour and texture those used on the existing dwelling. Reason: To ensure a satisfactory visual relationship between the new development and the existing.

Condition 4 – Condition 4 of planning permission F/14/75150 states the following:

"(4) Any first floor windows and roof lights on the northern and southern side elevations of the resulting dwelling shall be obscure glazed to Pilkington's level 3 or equivalent and have no opening parts less than 1.7 metres above the floor level of the room which they serve, or be positioned at least 1.7 metres above the floor of the room which they serve. Reason: To protect the amenity and privacy of the adjoining residential properties."

This condition was applied in order to preserve the privacy of the neighbouring property. However, this restriction on the nature of the window which can be installed has resulted in problems achieving the necessary Building Regulations consent for fire escape. It has therefore been proposed that this condition be amended to keep the window obscure glazed but to allow it to open in such a way so as to allow escape in the event of a fire should it be necessary. This is considered reasonable and will maintain as best possible the privacy of the adjoining neighbor who has raised no objection. As such the condition will be amended as follows:

"(4) The first floor roof lights on the northern and southern side elevations of the resulting dwelling shall be obscure glazed to Pilkington's level 3 or equivalent and have no opening parts less than 1.7 metres above the floor level of the room which they serve, or be positioned at least 1.7 metres above the floor of the room which they serve. Reason: To protect the amenity and privacy of the adjoining residential properties."

And an additional condition added as follows:

(A) The first floor bedroom window dormer window on the southern elevation of the resulting dwelling shall be obscure glazed to Pilkington's level 3 or equivalent, shall be hinged on the left hand when viewed internally and shall only open a maximum of 90 degrees. All other panes below 1.7 metres above the floor level of this room shall be fixed shut. Reason: To protect the amenity and privacy of

REF. NO. X/14/75545

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

the adjoining residential property whilst providing suitable fire escape.

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.

CONCLUSIONS

For the reasons given above the application is recommended for approval subject to the revised and additional conditions above.