HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. J/15/75924

DESCRIPTION	Prior Notification for the construction of a single storey rear extension (depth 4 metres, height to eaves 2.250 metres, maximum height 3.525 metres)
ADDRESS	31 Rostron Close West End Southampton SO18 3AF

SITE VISIT DATE	02 March 2015
ARE PLANS ACCURATE?	It is considered that sufficient information has been provided to allow for the assessment of the development proposed.
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 hipped-roof single storey rear extension of the dimensions stated in the above description.
TOPOGRAPHY	The site slopes down towards the rear boundary. There is also a slope up to the south in this part of Rostron Close which results in the adjoining property (No. 32) being sited at a higher ground level than the application dwelling.
TREES	There will be no trees affected by the proposed development.
BOUNDARY TREATMENT	The property's rear garden is surrounded by 1.8m high timber panel fencing with there being a short section of 2m high brick wall to the proportion of the north-eastern boundary of the plot in closest proximity to the dwellinghouse.
SITE CHARACTERISTICS	The application property is a modern end-of-terrace two/three storey townhouse set on a fairly narrow plot. The dwelling is constructed of red brick with white fenestration. Off road parking is provided to the front of the property with there being an area of private amenity space which is part decked/paved and part laid to lawn.
CHARACTER OF LOCALITY	The site forms part of a modern, high-density housing estate. This part of Rostron Close consists of terraced properties set on modest sized plots.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/35655/002	OUTLINE: REDEVELOPMENT OF SITE FOR HOUSING	GRANT OUTLINE PERMISSION - 08/02/2006
R/07/59618	Reserved Matters: Pursuant to outline permission Z/35655/2 for redevelopment of site for 38 residential units comprising 16 houses and 22 flats with associated car parking, access from Chalk Hill and open space.	APPROVE RESERVED MATTERS – 25/10/2007

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT

REPRESENTATIONS RECEIVED

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32 Rostron Close, West End	The occupiers of No. 32 Rostron Close made the following comments on the application: *"Currently the light is very poor in my living room. I am worried that if my neighbour will extend his property I will completely lose the light. In this case I would be grateful if someone could make an assessment to check it. If the extension will not affect the light in my property I am more than happy for my neighbour to build the extension."*

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

n/a

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 *inter alia* states that planning should always seek to secure a good standard of amenity for all existing and future 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

COMMENT ON CONSULTATION RESPONSES

None received	X	See below		
Other …				

COMMENT ON REPRESENTATIONS RECEIVED

None received		See below	X	
Other …				

PLANNING OBLIGATION/CONSIDERATIONS

Planning obligations are not applicable to this application.

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 non-detached dwellings of up to 6m 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.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

MATERIAL CONSIDERATIONS

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 an end of terrace dwelling and does not extend beyond its rear elevation by more than 6m. 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 occupiers of No. 32 Rostron Close have made representation on the application specifically in relation to the matter of the potential for a loss of light to occur to their living room. 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. 32 Rostron Gardens 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 4m and it is positioned in close proximity to the shared boundary with No. 32. No. 31 is, however, situated on a lower ground level (approx. 300mm) than No. 32 which is reflected in the higher positioning of the neighbouring building's rear windows. The extension will also have a fully hipped roof such that its eaves height measures only 2.25m, approximately 0.45m above the boundary fence. In addition, it will also be positioned to the north of No. 32. Taking account of these factors and having regard to the movement of the sun, it is not 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 for rear extensions as set out in the aforementioned Quality Places SPD in this regard. Owing to the low level of the extension's eaves and the difference in ground levels, 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 north of the site with the extension being single storey, set in from the shared boundary, and the side facing window being well screened by the existing boundary wall.

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.