MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/17/79861

DESCRIPTION	First floor side extension with external staircase
ADDRESS	4A Telegraph Road West End Southampton SO30 3EJ

SITE VISIT DATE	7/3/17
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	• The application is proposing a first floor side extension with external staircase
TOPOGRAPHY	• Noticeable changes in site levels from the highway where the driveway slopes downwards
TREES	• NA
BOUNDARY TREATMENT	• Approximate one metre tall fence at the front and two metres with the neighbours
SITE CHARACTERISTICS	• The application site contains a detached dwelling for adults with special needs • At the ground floor there is a single storey side extension with a steep pitched roof • The parking area is tight and not easy to manoeuvre in and out of
CHARACTER OF LOCALITY	• Telegraph Road has varying site level changes owing to the winding nature of the road and topography • The housing style of a variety with some flatted development

THE SITE AND ITS SURROUNDINGS

	• Telegraph woods is opposite

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Q/16/79007	Pre app enquiry: First floor front extension & increase number of residents from 4 to 5 (adults with learning disabilities)	Principle acceptable 9/9/2016
U/08/62013	Certificate of lawfulness for existing use of dwelling as care home for 4no. Adults with learning disabilities	CCI 29/04/2008
F/07/60082	Single storey side extension	WRT 30/6/2008

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
4 Telegraph Road	This proposed extension will totally invade our privacy as it will overlook our lounge, bedroom and garden. At present there are no windows or doors overlooking our property on this elevation of this autistic home (although we do experience a lot of noise from carers and residents when getting in and out of cars, this we have had to tolerate). However, this proposal, for us, is one step too far and we feel will considerably affect our property value and our lifestyle in general.
4 Telegraph Road	Visually intrusive, reduction of on site parking as result of the staircase, The planning decision letter for application U/08/62013 dated 23/4/08 stated that the dwelling use was for Class C3 use, whereas the Design & Access statement for this application states that it has been in Class C2 use since 2008.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
WND	Support

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area River 400m, SAC, SPA, Ramsar 7000m

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, policy 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 (2011)
Supplementary Planning Guidance: Hedge End, West End and Botley Character Area (2008)

CHARACTER APPRAISAL AREA

Hedge End, West End and Botley Character Area HEWEB 15
• Maintain the predominant orientation of ridgelines in existing development relative to the slope on Telegraph Road.
• Retain the soft verge edges to the east of Telegraph Road and supplement with additional planting where appropriate in order to maintain the 'lane' quality.
• Retain and extend the continuity in building line.

The guidance is not considered pertinent

SPECIAL POLICY AREA

NA

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework
The 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

NATIONAL PLANNING POLICY GUIDANCE

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 17 of the NPPF sets out twelve core principles that underpin the planning system, one of which is that planning should "always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings". It goes on to say in paragraph 56 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."

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, nature conservation, street scene and character of the area

COMMENT ON CONSULTATION RESPONSES

Noted

COMMENT ON REPRESENTATIONS RECEIVED

Property values are not planning considerations, regarding the comment about what use class the building falls into, having assessed the design and access statement and use class order, the Local Planning Authority believes the use is C3(b) where up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.

PLANNING OBLIGATION/CONSIDERATIONS

NA

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."

MATERIAL CONSIDERATIONS

Principle and Impact upon the Character and Appearance

The application site lies within the urban edge where the principle of development is considered to be acceptable subject to the exact nature, design and impact of the proposal

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

being considered appropriate and in accordance with the relevant Local Plan policies and supplementary planning documents.

Paragraph 17 of the NPPF sets out twelve core principles that underpin the planning system, one of which is that planning should "always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings".
Saved policy 59.BE of the Local Plan 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, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

The application is proposing a first floor side extension to be built on top of the existing single storey side extension. Overall there is no concern with this element of the proposal, a large part of the built form is already in existence and the resultant scale and mass would be proportionate to the existing building. Number 6 is a large dwelling of similar proportions to what is proposed, there is a large flatted development opposite the application site, therefore taking into consideration the built form of neighbouring properties the host building would be akin. Thus there would be no harm to the streetscene.

The external staircase raises no concerns.

Residential Amenity

The Quality Places has been produced which gives guidance on over looking, loss of light, amenity space for new dwellings and refuse storage.

The occupier of 3 Crabwood Drive which sits to the rear have raised objections owing to loss of privacy and being visually intrusive. The site circumstances are such that the Telegraph Road sits much higher up and so from the rear overlooking is viewed as being more harmful. The objectors property is splayed away and there is a 27 metre separation distance therefore while the extension will be visible it would be detrimental to this occupiers amenity as they are looked over significantly more from other properties.

There is a concern about the impact upon the amenity of number 4. During a recent site visit it was noted how the host property owing to the changes in site levels sits higher up than number 4, and this is further heightened as a result of the single storey nature of the neighbours property. The neighbours bedroom and amenity space is easily overlooked from the boundary fence and from the neighbours property the dominance of the building is very much apparent. The Quality Places SPD states that proposals for housing significantly higher than existing dwellings are unlikely to be approved where habitable rooms directly overlook the back of existing properties. While the proposal does not relate to a new dwelling, the resultant impact would be the same, i.e, how differences in site levels result in overlooking from habitable rooms, but in this instance into an existing habitable room. The additional bulk and mass from the first floor extension would have detrimental harm and significantly worsen the outlook and privacy of these occupiers. This

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

would be further exacerbated by the door at the side elevation and undue noise as a result of the external staircase which would allow for an unacceptable level of overlooking and infringe on these occupiers privacy.

Highway Matters

Saved policy 104.T states permission will only be granted for development that provides adequate off-highway parking provision. There are four off road parking spaces, the design and access statement states that the proposal would not affect the existing parking, but the siting of the external staircase would mean a fourth space could not be provided for. Had the proposal been considered acceptable then further details would have been requested.

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 though it falls inside the designated zone of impact owing to the developments siting.

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

The proposed first floor side extension and external staircase, due to its scale, siting and positioning, would result in an unacceptable loss of amenity, visual outlook and privacy enjoyed by the occupiers of 4 Telegraph Road. The proposal is contrary to, Eastleigh Borough Local Plan Review (2001-2011) saved policy 59.BE, Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, policy 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 (2011)