HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. F/14/75180

DESCRIPTION ADDRESS	Erection of single storey side extension, a single storey rear extension (hot tub and gym), formation of raised platform to form external swimming pool area with single storey out building and basement level comprising sauna, wc and pump house (retrospective application) (amended description) South Lodge Moorhill Road West End Southampton SO30 3AY

SITE VISIT DATE	25/9/2014
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application is retrospective and relates to the erection of a single storey side extension, a single storey rear extension and the formation of a swimming pool with basement room and outbuilding above. The single storey side extension has a fully hipped roof with eaves of 2.6 rising to ridge of 4.7m and forms two additional bedrooms to form a 7 bedroom house. The single storey rear extension is a brick construction flat roof structure with flat roof of 2.6m in height forming a hot tub area. The outbuilding is located adjacent to the swimming pool on the raised platform. The outbuilding is a brick built flat roof structure of 2.6m in height used as a gym. The swimming pool is built at the same level as the ground level immediately adjacent to the rear of the house on a raised platform. As the land levels of the site drop as they move towards the rear boundary the swimming pool is at its highest point 3.4m above the ground level of the garden. This 3.4m in height allows the formation of a basement level within the rear most portion of the structure supporting the swimming pool incorporating the sauna, wc and pump. All items proposed within this application are in fact built and the application is therefore retrospective. The agent has advised the works were carried out in 1999.
TOPOGRAPHY	The site drops in level from the road to the rear boundary quite substantially. Although no levels are provided to show the extent of this drop, when standing in the road, only the upper portions of the roof of the main house are visible above the 2m brick wall.
TREES	There are several mature trees along the side (north west) boundary and the rear boundary which provide significant screening to the site. The front portion of the site is covered by a Tree preservation order (no. 2)
BOUNDARY TREATMENT	As above and 2m brick wall on front boundary and 2m fence along side boundary to Thorneydown bungalow.

THE SITE AND ITS SURROUNDINGS

SITE CHARACTERISTICS	The site comprises a detached two storey dwelling set within large grounds. Much of the buildings on site are not visible from the road simply because the land levels on site drop fairly steeply from the road limiting views.
CHARACTER OF LOCALITY	The site is located in the countryside and forms the end dwelling of a line of three dwellings on this site of the road. To the north and east of the site id land associated with the Rose Bowl which is designated at as special policy area. Opposite the site is a narrow landscaped strip that runs parallel to the road and beyond this is Moorhill Gardens comprising a line of detached two storey dwellings which lie within the urban edge.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/28224/000/00	Outline: erection of replacement dwelling	Permit 19/07/1985
U/13/73760	Certificate of lawful use to allow occupation of annexe as self contained residential unit	Clued - Certificate Issued 25/04/2014
Z/28224/001/00	Erection Of Detached House And Double Garage	Permit 17/07/1987
Z/28224/002/00	First Floor Side Extension And Provision Of First Floor Accommodation With Dormer Windows And External Staircase Above Existing Garage	Permit 01/05/2001

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None received	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
WND	No objection
ENG	No objection
HEH	No objection subject to conditions relating to construction

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Strategic Gap Outside Built-up Area Boundary TPO no. 2 Within Established Residential Area Rose Bowl SPA Special Protection Area-recreational disturbance zone

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

Eastleigh Borough Local Plan Review (2001-2011), saved policies 1.CO (Development in the countryside), 2.CO (Strategic Gap), 9.CO (extensions to dwellings in the countryside),

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

59.BE (Detailed Design), 104.T (Parking), 158.OS (Development at the Rose Bowl).
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 S9, (development in the countryside and gaps), DM1 (Detailed Design), DM16 (Residential extensions in the countryside), WE11 (Development at Rose Bowl), DM24 (parking)

Supplementary Planning Guidance : Quality Places
Supplementary Planning Guidance: Residential Parking Standards

CHARACTER APPRAISAL AREA

n/a

SPECIAL POLICY AREA

Rose Bowl Special Policy Area

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 residential amenity, highway matters, trees, street scene, special policy area and character of the countryside.

COMMENT ON CONSULTATION RESPONSES

None received		See below	x	

HEH have commented No objection subject to conditions relating to construction – as the structures proposed have already been constructed these conditions are not applicable or needed to make the proposal acceptable

COMMENT ON REPRESENTATIONS RECEIVED

x	None received		See below		

Other …

PLANNING OBLIGATION/CONSIDERATIONS

Not applicable

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

An important factor to note here is that all works are retrospective and further to that that the extensions and outbuildings proposed have clearly been in place for several years. The agent has advised that the structures have been in site since 1999. It is clear therefore that any impact of development is not new and indeed the applicant could in fact apply for a certificate of lawfulness of existing development. Nevertheless the development is assessed below.

Saved policy 59.BE of the Local Plan and DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029 (July 2014) 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.

Saved policy 1.CO relates to sites in the countryside and permits development where it would meet criteria of other policies in the local plan. One such saved policy is 9.CO which permits residential extensions in the countryside subject to a number of criteria. Those criteria are:

1) That the development is not subject to an agricultural occupancy condition.
2) That the development is not likely to facilitate the sub division of the property into more than one dwelling
3) That dwelling as extended would not result in a building disproportionate in size to its plot or neighbouring buildings
4) That the design of the extension would not materially worsen the impact of the dwelling on the surrounding countryside.

In respect of those points the site is not subject to an agricultural occupancy condition and the extensions would not easily facilitate the subdivision of the dwelling into more than one unit. In respect of the third criteria, the plot within which the building is located is large and the extensions as proposed would sit well within that plot. The size of the extended building would not appear out of place noting that buildings on large plots in the countryside can often be larger than might be found in more urban locations. Thorneydown nearby is a similar sized property. Finally in respect of the impact of the extension on the surrounding countryside, the swimming pool and gym are not perhaps the best examples of good design that could have been put forward on this site however there are number of material factors to note here, first the site is very well screened and therefore there are virtually no views of the extension from outside of the site except from the neighbouring properties where views of the extension can only be glimpsed above boundary treatment. As such the actual impact upon the countryside is not considered harmful. Secondly, the extensions have been in situ for many years and no complaints have been made to the council.

Saved policy 2.CO is also relevant in that it relates to development in strategic gaps. This policy requires that development should not visually or physically diminish the gap. There is no visual diminishment for reasons noted above regarding the visual containment of the site. There would be a reduction of open land within the plot however a large garden would remain as would the

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

existing boundary locations of the site and therefore the integrity of the gap is not considered to be harmfully affected.

The land levels of the site are lower than the main road and as such none of the works are visible from the road. The impact upon the character of the area remains unchanged therefore in this respect. The Rose Bowl is located to the rear and north west of the site. Those boundaries are subject to dense screening and as such the impact of the works as viewed from those points is considered minimal. To the south east of the site is a detached dwelling which was originally built within the grounds of the application site but subsequently was issued a certificate of lawfulness of existing use for a self contained detached dwelling. The swimming pool and hot tub is located approximately 7.5m from the boundary to that dwelling and 10.4m to the closest point of the dwelling itself. The outbuilding accommodating the gym is located 15.5m from the side boundary to the closest dwelling. It is considered that these distances are sufficient to ensure that the proposed dwelling would not harm neighbouring amenity in terms of outlook, overshadowing, noise/disturbance, shadowing or overlooking.

The size and design of the extensions are sympathetic to and in keeping with that of the original house in terms of size, height, massing, design and materials.

Special Policy Area

The site is shown to be located within the special policy area for the Rose Bowl. The relevant policies which are noted above relates to sports/leisure development within the Rose Bowl itself and therefore do not directly apply to the application site even though included within the special policy area.

Highways

The application is retrospective and will result in two additional bedrooms creating a 7 bedroom property. The residential parking standards require three parking spaces on site for 4+ bedroom properties. There is ample parking available on site to accommodate the parking requirement and as such there is no objection in this respect. The highway officers have not objected to the application.

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 is considered to retain a good sized garden therefore the proposals are not considered to result in the overdevelopment of the plot.

The development complies with the requirements of saved Policy 59.BE.

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

The recommendation is to permit

REF. NO. «AltRef»