CONDITIONS AND REASONS:

(1) The one and two storey front extension owing to its siting would create an incongruous feature at odds with the appearance of the house and neighbouring properties and detrimental to the character and pattern of development within the locality. As such the proposed development 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 comprises: the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and the Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014), and the Supplementary Planning Document: Quality Places (November 2011).

Report:

1. This application has been referred to Committee by Cllrs Mignot, Winstanley and Roling as it is considered to be a controversial application.

Description of Application

2. The application is proposing a one and two storey front and rear extensions. The front extension would incorporate a single storey and first floor extensions. The single storey element would project 3 metres in depth, extend 2.2 metres in width and 3 metres in height. The first floor element would project 1.2 metres in depth, extend 2.2 metres in width and 3 metres in height.

3. The rear extensions would incorporate a single storey and first floor rear extensions. The single storey rear extension would project 3 metres in depth, extend 5.4 metre in width and 3 metres in height. The first floor rear extension would project 1.9 metres in depth, extend 2.2 metres in width and 3 metres in height.

Site Characteristics

4. The application site contains a two storey mid-terrace dwelling towards the end of the cul-de-sac. At the front elevation there is a part open porch, and a conservatory and small single storey extension at the rear. The site is open at the front, with a mix of 1.4 and 1.6 tall fence in the rear garden.

5. Lynx Close contains a housing estate which was constructed in the late 1970's early 80's, to the south of Alan Drayton Way.

6. The immediate surrounding area contains two storey dwellings which form clusters of three or four, with part open porches. No other properties on Lynx Close have been extended at the front elevation with single or two storey extensions.

Relevant Planning History

7. Retention of bin store at front - Z/35436/000/00

Representations Received

8. One objection received
9. 175 Fair Oak Road - increased overlooking, no other houses have such extensions; precedence would be set, extension is not in keeping with the streets.

Consultation Responses

10. Parish Council – no objection

Policy Context: Designation Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area

Development Plan Saved Policies and Emerging Local Plan Policies

- 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 comprises: the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and the Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014.

Supplementary Planning Documents

- Supplementary Planning Document: Quality Places (November 2011)

National Planning Policy Framework

11. The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be “out-of-date”. The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

National Planning Practice Guidance

12. Where material, this guidance should be afforded weight in the consideration of planning applications.

Policy Commentary

13. The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to, street scene and character of the area and residential amenity.

Assessment of Proposal: Development Plan and / or Legislative Background

14. 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."*

15. 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.

Other material considerations

16. 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.

Impact upon the Character and Appearance

17. The Quality Places SPD, states that only modest front extensions which are in keeping with the street are important aspects and careful consideration must be given to alterations to the front owing to their impact on the appearance and character of residential areas.

18. There is no concern with the rear element of the proposal as it would be a proportionate addition, there are concerns with the extension proposed at the front. The other properties on Lynx Close have not been extended at the front elevation and therefore retain a uniform approach and strong character with regards to the overall appearance of the streetscene.

19. The officer fully supports the comments made by the third party that no other houses have such extensions and that a precedence would be set, and the extension is not in keeping with the street.

20. Whilst it is recognised that the front extensions would be proportionate additions, it is considered that the alteration would have an adverse harm to the streetscene, as it would not reflect the pattern of development within Lynx Close.

Residential Amenity

21. It is considered there would be no undue harm to amenity of neighbouring occupiers from the front extensions. The Quality Places SPD requires proposals to take into account the relationship between neighbouring properties to ensure a reasonable level of daylight is

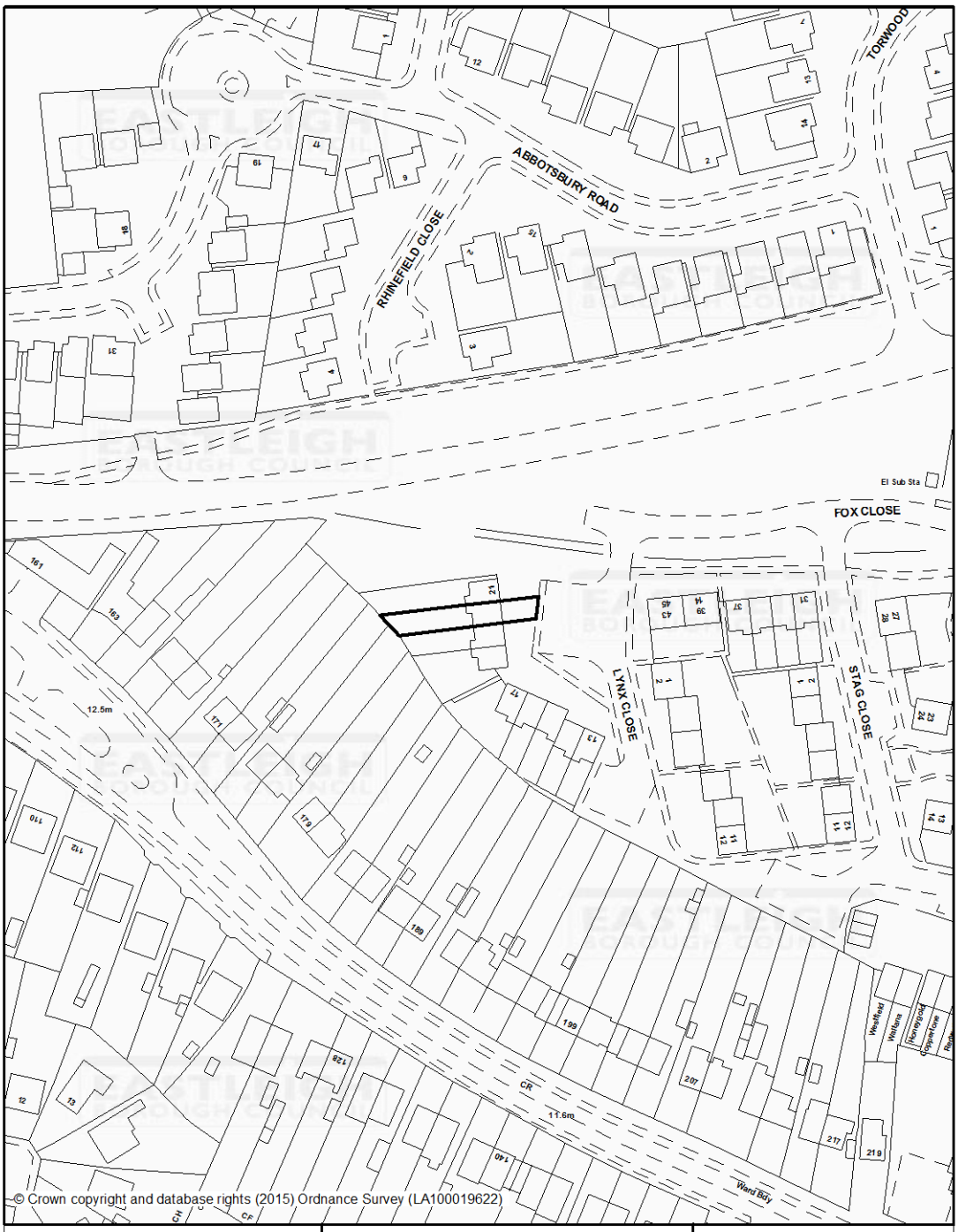
achieved, and that a high standard of privacy is required when extending at the rear.

22. The 45 Degree Code has been applied to assess whether there would be undue harm to the level of daylight received to the adjoining neighbours. The application of the code has demonstrated there would be no undue harm with regards to this matter.

23. An objector has raised concerns that there would be increased overlooking from the rear extensions. The objector lives on Fair Oak Road where a separation distance of 60 metres would be retained, and meets the guidance of the Quality Places SPD which states that beyond a distance of 35 metres a reasonable privacy is achieved by remoteness. Further to which the rear element would be splayed away; thus there would be no direct overlooking.

Conclusion

24. The one and two storey front extension owing to its siting would appear at odds with the appearance of the house and neighbouring properties and would go against the character and pattern of development within Lynx Close.



EASTLEIGH BOROUGH COUNCIL

F/15/76114

Title:

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1:1250

Map Ref:
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Date:
08/06/2015

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