

DELEGATED OFFICER REPORT

Application Ref: H/22/93889

Site Address: 68 Chalk Hill, West End, Southampton, SO18 3DB

Case Officer: Summer Sharpe

Description: Extension of basement level to rear with ground and first floor rear extensions including terrace.

Particular Site Constraints?	Yes ☒	No ☐
- Within urban edge - TPO trees (to the frontage of the site)		

Planning History?	Yes ☒	No ☐
Application No.	Proposal	Decision
H/21/91872	Second storey extension above existing single storey rear extension, Two storey rear and single storey rear extension with balcony, re-positioning of external staircase.	Refused (December 2021)
F/05/55875	Ground floor & lower ground floor extensions with external steps & addition of pitched roof to garage	Permitted (13 March 2006)

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>5no. Objections received from 3no. different addresses, summarised as:</u> (a) monstrous project, (b) safety to access neighbouring properties whilst building works are underway, (c) concern about deliveries and construction times, (d) loss of light/ tunnel effect, (e) close proximity to shared boundary, (f) concern about subsidence, (g) noise pollution, and (h) concern about highway safety with vans/ lorries.		
Parish Council:	No objection.		
EBC Arboriculturalist:	This application appears to be similar, from an arboricultural perspective to that submitted previously. Therefore, my comments are similar. There are some trees to the front of the property that are subject to Tree Preservation Orders, and some vegetation on neighbouring properties to the south. All other trees are vegetation appear to be suitably distant from the proposed development area. With regards to the trees to the front, these are suitably naturally protected by the property boundary and the driveway, and no further formal protection is warranted beyond their statutory protection. Regarding the trees within the property to the south, while these are third party property, they are not significant from an amenity point-of-view. There is a risk of root damage to the trees, but the area between the proposed development is hard-standing and it is unlikely that any significant roots are within the proposed development area. Therefore, we raise no arboricultural objection to the proposals.		

EBC Ecologist:	There are records of bats, hedgehogs, swifts and badgers near this property and an area of woodland at the western boundary. I don't see any potential bat roost features on the building. A CEMP containing a precautionary working method to protect small mammals during construction will be required. If exterior lighting is to be used, a wildlife sensitive lighting plan will be required. Biodiversity enhancements are required. A bat brick/box and swift brick may be appropriate for the side elevations of this building.
Southern Water:	None received.
Southern Gas Network:	None received.

Policy:

National Planning Policy Framework

National Planning Practice Guidance

Development Plan:

Eastleigh Borough Local Plan 2016-2036

Policies: S1 (Delivering sustainable development), DM1 (General development), DM11 (Nature Conservation), and DM14 (Parking).

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisal, and Trees and Development.

Site Visit

Yes ☒

No ☐

A site visit was not undertaken as part of this planning application, because this was undertaken, 16 November 2021, as part of previous application (H/21/91872).

Assessment:

Site & Surroundings

The application site comprises a two-storey detached dwellinghouse located to the west of Chalk Hill. The property is largely screened by mature trees/ vegetation fronting Chalk Hill (which are covered by a TPO). The dwelling is served by a modest driveway which has a western decline down to the property. The dwellinghouse itself is finished in yellow brick work, with white upvc fenestration and a tiled roof. The property benefits from a single storey side extension (to the north) and single storey extension to the rear (west). The rear garden slopes away from the host dwelling due to the topography of the land, having a noticeable western decline.

The wider surroundings are characterised by large detached dwellinghouses. Whilst there is no real uniformity in terms of appearance, there is a general material palette comprising; red/ yellow brick work, white fenestration, and tiled roofs.

Proposal

The application proposes a combination of extensions/ alterations to the rear, comprising; a pitched roof two-storey rear extension, (due to the topography of the land this would create a 'third' storey). The application also proposes another two-storey element with a

pitched roof to the northern boundary, and a single storey rear extension, facilitating a balcony above. There would also be the alteration/ re-positioning of an external staircase.

The proposed two-storey pitched roof extension would largely utilise the footprint of the existing single storey rear extension. This would, however, alter and increase the existing dimensions. The proposed two-storey element would project approx. 3.9m from the rear elevation and would have a width of approx. 9.2m. The proposed extension would have a pitched roof, and eaves height, to match the host dwelling, however, due to the topography of the land, the measurements would comprise approx. 9.5m and approx. 7.2m, respectively. This element would be finished in a combination of white render, (larch or cedar) cladding, and grey fenestration.

The proposed two-storey pitched roof extension would project approx. 5.9m from the rear of the existing single storey side extension. This would have an overall height of approx. 5.8m and eaves which would measure approx. 4.9m. This would have a width of approx. 2.7m, and would be finished in render, with grey fenestration.

The proposed single storey rear extension would project varying amounts from the proposed two-storey rear extensions, ranging from 1.7m - 3.7m, (approx. 7.6m from the original rear elevation of the host dwellinghouse) and would span a width of approx. 11.6m. This element would have a flat roof measuring 2.5m which would also facilitate the balcony above. This would be finished in cladding and grey fenestration.

The external staircase would be located to the southern side of the single storey rear extension to facilitate external access to the balcony. The balcony would have 1.1m enclosure, and a 2.1m privacy screen to the northern elevation, the materials/ finish for these have not been specified.

Principle

The application site falls within the urban edge, whereby alterations or extensions to, or within the curtilage of residential dwellinghouses are considered to be acceptable in principle, however, would be subject to the following considerations.

Background & Comparison to Previous Scheme

As noted within the history section, planning application referenced "H/21/91872" proposed a *Second storey extension above existing single storey rear extension, Two storey rear and single storey rear extension with balcony, re-positioning of external stair case*. This was refused for the following reasons:

- 1) The proposed rear extensions, by reason of their size, scale, siting and introduction of new materials, would result in incongruous and discordant additions, at odds with the character and appearance of the host dwelling. The proposals are therefore contrary to Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011), Draft Policy DM1 of the Submitted Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2021).
- 2) The proposed two-storey flat roofed extension, by reason of its substantial dimensions, combined with its siting and close proximity to the northern boundary, would result in a sense of enclosure creating an unacceptable and overbearing impact upon the amenities of the occupier of 66 Chalk Hill. The proposal is therefore contrary to Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011), Draft Policy DM1 of the Submitted Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2021).

As noted previously, the applicant did not seek to engage with the LPA via pre-application advice. As a result, the previous scheme led to refusal without engagement. The applicant has submitted this current application seeking to amend the proposals. The differences will be laid out for clarity:

- The two-storey extension towards the northern boundary has been amended. Originally this proposed a flat roofed extension which would project 6m from the rear, would have had a maximum height of 5.3m and width of 4.1m. This now proposes a two-storey pitched roof extension which would project 5.9m from the rear of the existing single storey side extension (negligible difference to the previous proposals). This would have an overall height of approx. 5.8m and eaves which would measure approx. 4.9m (higher than that previously proposed). This would have a width of approx. 2.7m (reduction from the previous scheme as a result of it being set in approx. 1.7m from the northern boundary).
- The single storey rear extension has also been amended and reduced in terms of both its width (by approx. 1.4m) and depth (by 1m).

The amended proposals are not considered to have fully addressed the previous reasons for refusal, as will be set out and expanded upon within the relevant sections of this report.

Design

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

As set out above there are limited differences between the previous scheme (H/21/91872) and this current scheme, therefore the below assessment, in parts, will be similar to the assessment made in the previous Officers report.

The proposal has been broken up into several elements set out below:

The proposed two-storey pitched roof extension would appear as a substantial addition due to its proposed dimensions. Whilst it is noted that the extension is located to the rear, this is not considered to negate the requirement to strive and achieve good design, as set out within the abovementioned policies and the NPPF. The proposed two-storey extension would match the overall height and eaves height of the host dwellinghouse, although due to the western decline the proposal would appear as a three-storey extension when viewed from the rear. The proposal with such dimensions could therefore not be considered a subservient addition, further the incongruity would be exacerbated by the introduction of new materials. The addition of render and cladding is not considered to respect the yellow brick of the host dwellinghouse. This would also result in discordant side elevations with a 'mis-match' of materials, creating unattractive side profiles.

The proposed two-storey pitched roof extension would adjoin the existing single storey extension to the north of the host dwellinghouse. As noted above, this element has been amended, whereby the junction where the proposed and existing roof would adjoin has been improved compared to the previous flat roofed scheme. The proposal would now have eaves to match and a shallow pitched roof adjoining the existing extension. Whilst this relationship has been improved, as a result, the height dimensions have been increased, thus still resulting in an excessively large extension.

The single storey rear extension has also been amended as part of this application. This element would effectively project approx. 7.6m from the (original) rear elevation and would span a width of approx. 11.6m, slightly set in from the host dwellinghouse. Whilst this would result in a substantial extension, it is not considered that this would have a

detrimentally harmful impact upon the host dwellinghouse, with specific regard to its scale. However, the introduction of cladding is considered to result in an adverse impact upon the host dwelling in terms of its design/ finish. It is also noted that flat roof extensions are not considered to provide 'high quality' design, however, in this instance it would facilitate the provision of the balcony. In principle the balcony is not considered to result in an adverse impact upon the overall design, however no information has been provided on the means of enclosure or privacy screen, and therefore an informed judgement upon the overall design of this element cannot be concluded. (Please note: had the application been capable of officer support, this information would have been sought, and/or secured via condition).

Whilst it is noted that the existing dwellinghouse is of a large size, and could facilitate a large extension, the submitted plans do not provide an appropriate solution to extend the host dwellinghouse. Furthermore, and whilst 'modern/ contemporary' extensions can work, in this instance the scale combined with the introduction of new materials is not considered appropriate, nor respectful to the host dwellinghouse. The proposal was broken down into several elements, whereby it is considered that individually the two-storey extensions would warrant reason for refusal by reason of their scale, materials, and overall appearance. Furthermore, the cumulative impact of the proposed extensions are considered to result in a cumbersome, discordant and incongruous form of development, which would be detrimentally harmful to the host dwellinghouse.

Paragraph 134 of the NPPF states '*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents*'. To conclude, the proposed rear extensions, by reason of their siting, scale, and introduction of new materials, would result in incongruous additions, at odds with the appearance of the host dwelling, thus being contrary to the abovementioned policies, and SPD. In accordance with Paragraph 134 of the NPPF, this development is not considered well designed, nor does it reflect local design policies, thus warranting refusal.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

Again, as noted within the design section of this report, there are limited differences between the previous scheme (H/21/91872) and this current scheme, therefore the below assessment, in parts, will be similar to the assessment made in the previous Officers report.

The application proposes a combination of rear extensions. The proposed two-storey pitched roofed extension towards the northern boundary has been amended and would be set in from the northern boundary by approx. 1.7m, thus would be set approx. 4.4m from the closest elevation of the neighbouring dwelling (66 Chalk Hill). It should be noted that this distance between the application site and neighbour to the north includes a side access route for the neighbour to the north to access their rear garden.

The proposed extension would project approx. 5.9m in depth, with a pitched roof height of 5.8m. The agent has denoted a 45-degree angle from the neighbouring property to the norths first floor window. The proposal appears to comply with this measurement; however, it is noted that the site, and neighbouring properties are affected by a western decline, whereby the rear gardens slope away from the dwellinghouses. Further, the neighbour to the north is on lower ground than that of the application site. This topographical change is most obvious along the side access, close to where the proposed development would be situated.

The addition of a 5.9m deep, 5.8m high pitched roofed extension, combined with a declining land level, is considered to result in a detrimentally harmful impact upon this neighbour to the north. Whilst it is acknowledged that this element of the proposal has been amended to incorporate a pitched roof and increase the separation distance, it is not considered that these amendments have gone far enough to completely mitigate the adverse harm arising. The proposed two-storey pitched roof extension would be set in 1.7m from the shared boundary, however this would have an increased height (as a result of the pitched roof). Whilst also acknowledging that the eaves would be lower (4.9m) this is still considered to create an unacceptable relationship with the neighbouring property to the north. Furthermore, the neighbour to the north has raised an objection (comments above). A site visit has been undertaken to the neighbouring property (66 Chalk Hill) to obtain an understanding of the existing relationship between the properties. As noted above, there is a significant change in topographical levels. The application is on higher ground than that of the neighbour. Therefore, any measurements denoted (even the lower eaves of the proposed extension to be 4.9m) would appear greater and more dominant when viewed from 66 Chalk Hill because of its lower ground level.

It was noted on the site visit (10 November 2022) that there was some vegetation which formed part of the boundary treatment between the properties. This, however, is not considered to provide sufficient screening to mitigate the harm arising from the proposals. (And, in any event this is within the neighbour's curtilage and could be removed at any time, without the need for consent). Further, any boundary treatment which could be erected under permitted development is not considered to sufficiently screen the proposals nor mitigate the harm.

To conclude, it is considered that the addition of the proposed two-storey pitched roofed extension would create a sense of enclosure to the neighbour to the north especially given the topographical site context. The overall dimensions for this element of the proposal are considered to be overbearing, thus would have an adverse impact upon the amenities of the neighbouring property to the north.

To the south of the site, the boundary treatment comprises large/ mature vegetation, which provides significant screening between the application site and neighbouring property to the south. Therefore, it is not considered that the proposals would have an adverse impact upon this neighbour.

However, it should be noted that had the application been recommended for approval, the LPA would have sought to secure the retention of the trees along the southern boundary via condition; (ensuring that should any of the trees be damaged during construction, or become diseased, a suitable replacement be planted, and that the mature vegetation screening be maintained for the perpetuity of the development). This would have been necessary as once development is permitted, and subsequently implemented, this would result in 'irreversible' development. In accordance with Policy DM1 of the Eastleigh Borough Local Plan 2016-2036, Trees and Development SPD and Paragraph 130 (f) of the NPPF (2021), development should protect the existing amenities of neighbouring properties as well as future. Further, it is not considered that any means of boundary treatment, which could be constructed under permitted development, would sufficiently screen the proposed development, and the trees to the southern boundary are not covered by a Tree Preservation Order (TPO) (nor does the site fall within a Conservation Area), which means the trees could be removed at anytime without consent from the LPA.

To conclude, the proposed extensions are considered to result in an adverse impact upon the amenities of the neighbouring property to the north and would therefore be recommended for refusal.

Highway Safety & Parking

Policy DM14 of the Eastleigh Borough Local Plan (2016-2036) requires residential development to provide off-highway parking which is adequate in terms of highway safety / traffic management. The Residential Parking SPD sets out the relevant parking provisions for dwellinghouses, which are dependent upon the amount of bedrooms.

Currently the dwellinghouse has 4 no. bedrooms, thus requiring 3 no. off-street parking provisions. The proposals would result in an additional bedroom; however, this would not alter the existing off-street vehicular parking provisions. The parking arrangement, in the form of a driveway would remain unchanged, and therefore the proposal is not considered to have an adverse impact in terms of parking provisions.

Trees & Ecology

Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) stipulates that the Borough Council will work with statutory and voluntary agencies and developers to; protect, conserve and enhance areas subject to international, national and local nature conservation designations, and promote the net gain of biodiversity on all sites through the protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.

Both the Council's Ecologist and Arboriculturalist have been consulted as part of this planning application.

The Council's arboriculturalist has raised no objection to the proposal. They note that there are TPO'd trees to the frontage, however these are not considered to be impacted upon as a result of the proposals.

The Council's Ecologists comments are set out above in this report. Should the proposals have been considered acceptable, the Council's Ecologists comments could have been included by way of condition, or informative.

Other Matters

A scale bar has not been included on the submitted 'site locations plans 666/05/100 Rev A'. This is fundamentally a validation issue, however since the application is being recommended for refusal amended plans, including the scale bar, were not requested.

Equalities Act:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

Climate Change:

National legislation and guidance, together with local policy ensure that all planning applications are tested for their resilience to and impact on the environment. The Climate

Change and Environmental Implications of this application and their proposed mitigations have been considered.

Conclusion:

Reasons for Refusal:

- 1) The proposed rear extensions, by reason of their size, scale, siting and introduction of new materials, would result in incongruous and discordant additions, at odds with the character and appearance of the host dwelling. The proposals are therefore contrary Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2021).
- 2) The proposed two-storey pitched roof extension, by reason of its substantial dimensions, combined with its siting and close proximity to the northern boundary, would result in a sense of enclosure creating an unacceptable and overbearing impact upon the amenities of the occupier of 66 Chalk Hill. The proposal is therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2021).

Recommendation:

PERMIT ☐

REFUSE ☒