

DELEGATED OFFICER REPORT

Application Ref: PN/22/93858

Site Address: 13 KENDAL CLOSE, CHANDLER'S FORD, EASTLEIGH, SO53 1EG

Case Officer: Dorothy Hei-Tung-Hoh

Description: Enlargement of the existing dwelling house by the construction of an additional storey in accordance with all Town Country and Country Planning (General Permitted Development)(England)(Amendment)(No.2) Ordered 2020 - Class AA

Particular Site Constraints?	Yes ☒	No ☐
• Within Established Residential Area • Within Built-up Area Boundary		

Planning History?	Yes ☐	No ☒
There does not appear to be any planning history relating to the site.		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	10 MERDON AVENUE - Objection – Summarised • Loss of privacy • Overlooking 3 KENDAL CLOSE – Comment – Summarised • Parking problems		
Parish Council:	No Comments received		
Tree Consultant:	No arboricultural objection		
Ecologist:	No potential bat roost features		

Site Visit:	Yes ☒	No ☐
Details: 12 th October 2022		

Policy:
National Planning Policy Framework Planning Practice Guidance
Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM2, DM11 and DM14.
Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals; The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020

Assessment:
The application site contains a three-bedroom detached bungalow within a small cul-de-sac. The property remains largely as original, other than a modest conservatory to the

rear. The property also has a front garden with driveway to the side leading to a single detached garage and the rear garden. The surrounding area is generally residential in nature and most of the dwellings within the cul-de-sac appear as bungalows or 1.5 storey dwellings. Travelling down the slope from northeast to southwest, the houses are set down from the one before, with the lowest point being in the bend of the road. This application is for prior approval for an addition of an extra floor of the existing dwelling taking the total to two storeys. This application is made under Class AA of the GPDO inserted by The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020. Permitted Development rights under Class AA can be exercised if the host building meets certain qualifying criteria and conditions and subject to assessment of the certain specific issues that can be considered for this type of prior approval application.

Citation and commencement

This Order may be cited as the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020 and comes into force at 9.00 a.m. on 31st August 2020.

Amendments to the Town and Country Planning (General Permitted Development) (England) Order 2015

The Town and Country Planning (General Permitted Development) (England) Order 2015(2) is amended in accordance with articles 3 and 4.

Amendments to Part 1 of Schedule 2

(1) Part 1 of Schedule 2 (permitted development rights - development within the curtilage of a dwellinghouse) is amended as follows. (2) After Class A (enlargement, improvement or other alteration of a dwellinghouse) insert—

“Class AA - enlargement of a dwellinghouse by construction of additional storeys”

Assessment against qualification/limitations criteria

Permitted development		Assessment	Complies
AA. The enlargement of a dwellinghouse consisting of the construction of—	(a) up to two additional storeys, where the existing dwellinghouse consists of two or more storeys; or (b) one additional storey, where the existing dwellinghouse consists of one storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction.	The existing dwelling is single storey, and one additional storey is proposed. The proposal therefore complies with criterion (b).	Yes
		Assessment	Complies

AA.1. Development is not permitted by Class AA if—	(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule (changes of use);	It has not been possible to locate the planning history for the property, however the above Classes of the GPDO were introduced in the 21st century long after the property was believed to be constructed in the inter war period. The Council is therefore satisfied that the proposal complies with the above criterion.	Yes
	(b) the dwellinghouse is located on— (i) article 2(3) land; or (ii) a site of special scientific interest;	The property is located on neither article 2 (3) land or a SSSI.	Yes
	(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;	It has not been possible to locate the planning history for the property, however it is believed that the estate was constructed in the 1950s.	Yes
	(d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;	No additional storeys have been added to the property.	Yes
	(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;	The highest part of the roof would be less than 18m.	Yes
	(f) following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than— (i) 3.5 metres, where the existing dwellinghouse consists of one storey; or (ii) 7 metres, where	The highest part of the proposed roof would be approximately 2.6m higher than the highest part of the existing roof.	Yes

	the existing dwellinghouse consists of more than one storey;		
	(g) the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres— (i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or (ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated;	The dwelling is detached therefore this criterion does not apply.	Yes
	(h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of— (i) 3 metres; or (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;	The floor to ceiling height is approximately 2.4m.	Yes
	(i) any additional storey is constructed other than on the principal part of the dwellinghouse;	The building does not contain any form outside of the principal part of the dwellinghouse.	Yes
	(j) the development would include the provision of visible support structures on or attached to the exterior of the	There will be no visible support structures.	Yes

	dwellinghouse upon completion of the development; or		
	(k) the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.	The proposal contains no additional engineering operations.	Yes
		Assessment	Complies
AA.2. Conditions	(1). Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3). (2) The conditions in this sub-paragraph are as follows— (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse; (b) the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house; (c) the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse; and (d) following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to	The proposal would comply with the conditions and limitations set out at paragraph AA and AA.1 of Class AA, such that it would fall within the scope of permitted development rights. However, concerns are raised in respect of the development upon the external appearance of the application property. The proposed additional floor would be built with a similar roof pitch, design, and materials to those of the existing building. However, notwithstanding those matters, the additional storey would appear more prominent on the skyline and would disrupt the uniformity in scale of the cul-de-sac as a whole. Whilst some of the properties within Kendal Close have been extended to the rear and into the loft to provide first floor accommodation, Kendal Close is still characterised by predominately detached chalet bungalow (no more than 1.5 stories) instead of a full two storey dwelling. In this context, the external appearance of the resulting dwelling would appear visually incongruous and at odds with the general scale of development within the surrounding area. Moreover, large areas of render used	No

	the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse. (3) The conditions in this sub-paragraph are as follows— (a)before beginning the development, the developer must apply to the local planning authority for prior approval as to— (i)impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light; (ii)the external appearance of the dwellinghouse, including the design and architectural features of— (aa)the principal elevation of the dwellinghouse, and (bb)any side elevation of the dwellinghouse that fronts a highway; (iii)air traffic and defence asset impacts of the development; and (iv)whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(3) issued by the Secretary of State; (b)before beginning the development, the developer must provide the local planning authority with a report	and the use of full height glazing would emphasise the proposals incongruous height, the application property would then be notably higher than that of the neighbouring bungalows. The applicant argued that the effects on the street scene and wider area should not be considered with Class AA. However, it is considered that the GDPO provides sufficient scope to assess the appropriateness of the external appearance of the dwelling in areas of public view (fronting onto a highway). When assessing the external appearance of a proposal it is difficult to do so in isolation of the context of the surroundings and it is reasonable to take account of the design of the dwelling and neighbouring properties in making assessment. Accordingly, prior approval should not be granted having regard to the adverse effect on the external appearance of the dwellinghouse and surrounding context.	
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	for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated; (c)the development must be completed within a period of 3 years starting with the date prior approval is granted; (d)the developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion; and (e)that notification must be in writing and include— (i)the name of the developer; (ii)the address of the dwellinghouse; and (iii)the date of completion.		
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Conclusion:

The proposal has been considered on its merits in the confines of the prior approval regime. Prior approval is refused having regard to the external appearance of the dwellinghouse.

Recommendation:

PERMIT ☐

REFUSE ☒

Comments