

DELEGATED OFFICER REPORT:**Application Ref:** H/22/94049**Site Address:** 13 MARLBOROUGH ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 5DJ**Case Officer:** Clare Martin**Description:** Two storey front and rear extension. New roof over existing side extensions. Log burner flue and elevational alterations. Mobile home during construction

Particular Site Constraints?	Yes ☒	No ☐
Within Urban Edge Tree Preservation Orders (within site)		

Planning History?	Yes ☐	No ☒
Details ...		

Publicity:	Letters ☐	Site Notice ☐	Newspaper ☐
Representations:	<u>15 Marlborough Road</u> - We support the application subject to the following two objections: The side window on the north elevation upstairs overlooks straight into our main bedroom. Currently no windows exist upstairs on this side of the house. - The downstairs on the north side does not line up with the upstairs plan regarding the boundary line. We do not want any, eaves, gables, soffits, fascia or gutters to overhang the boundary line. <u>Response</u> In response to the proposed first floor northern window, this serves an ensuite rather than a main living area and as such it would be reasonable to condition that this window is obscure glazed to maintain the neighbour's privacy. A similar condition will be imposed on the first floor ensuite window on the southern elevation. In terms of encroachment, the plans show both the garage wall (on the ground floor plan) and garage roofline (on the first floor plan) stepped in from the boundary with no.15. Certificate A has been signed to say that the development will not encroach on the neighbouring property and there is no evidence of encroachment. Furthermore, developments along the boundary line are also covered by the party wall act, which is separate from planning legislation.		
Tree Officer:	<u>No Objection</u> Whilst there are active Tree Preservation Orders on site, there are no significant trees within close proximity to the proposed development areas.		
Ecology Officer:	<u>No Objection</u> <u>Bats</u> I have reviewed the Bat Survey Report by Hampshire Ecological Services (September 2022). The building was assessed to have low bat roost suitability and one bat activity survey was carried out. No bats were seen emerging from the building.		

	The recommendations in the report (section 5.6) are sound and should be implemented. These include removing <i>Crocodylus</i> × <i>crocodyli</i> (Montbretia), where required; new bat roost provision; sensitive lighting (for bats and other wildlife); and new bird nesting provision. Additional optional enhancements are listed in Appendix D. The log burner flue must not be located near the proposed built-in bat and bird roosts. The report is valid for 12 months only due to the mobile nature of bats. The potential roost feature would remain available to bats after the construction is complete. If construction is delayed longer than 12 months from the time of the last activity survey (August 2022) further surveys will be required. In the unlikely event of any bats being found during demolition or construction, all work must stop immediately, and Natural England must be informed. Additional information is available on the Bat Conservation Trust website at https://www.bats.org.uk/advice/im-working-on-a-building-with-bats/ive-found-a-bat-during-works. <u>Hedgehogs</u> A precautionary working method for hedgehogs is also required. If hedgehogs are using the site they would be sheltering under dense vegetation or within long grass, dead leaves, or piles of dead wood. These areas should be cleared by hand, not using a digger, to allow animals time to escape. Removal of potential habitat must not take place from November through March when animals may be hibernating. No fires can be lit on site. During construction any excavations or open pipes must be covered at night or fitted with a small mammal escape ramp (a rough board slanted at a shallow angle) to prevent hedgehogs from becoming trapped. If hedgehogs are found they should not be handled but be left to move away on their own to a place of shelter. <i>If a hedgehog is found during development and/or there are welfare concerns, the British Hedgehog Preservation Society can be contacted for advice and guidance on 01584 890 801.</i> <u>Nesting Birds</u> The removal of any vegetation which might support nesting birds must be done outside of bird nesting season (which is normally between March and August). This would include any overhanging trees, shrubs and the climbing plant shown on the rear elevation. If this is not possible, then a nesting bird check by a suitably qualified ecologist will be required within 24 hours before removal. If active nests are found the area must be cordoned off with a 5 m buffer and not disturbed until after the young have fledged and left the nest. <u>Surface Water Drainage</u> The current surface water drainage system can be used. If soakaways are in use currently, the applicant must be advised that soakaways must be located at least 5 m from any built structure. Evidence of a satisfactory surface water drainage system, and that the extensions will not be too close to a soakaway, must be provided.
Parish Council:	<u>No response</u>

Site Visit:	Yes ☒	No ☐
Details: Site visit was carried out 14/12/23		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"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."</i> Section 16(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

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.

Assessment:
Principle The site is within the urban edge where the principle of development is acceptable, subject to the details complying with the relevant planning policies. Character and Appearance The largest part of the extension is at the rear of the property where it is not visible from the public realm and would fit in with the mixture of large dwellings in the locality. At the front, the proposal involves creating a new two storey central gable feature, with matching windows and a pitched roof over the existing garage. The design of the works is suited to the host dwelling in terms of its form, scale and appearance and will be rendered with a slate roof. The development will result in a well balanced and visually appealing house, which will fit in with the mixture of dwellings present along Marlborough Road. Amount of Development The property is located in a large plot, which has plenty of space available for the proposed extensions. The proposal would not be an overdevelopment of the site, would retain sufficient amenity space and is able to accommodate the required three on site car parking spaces. Residential Amenity The proposed two storey rear extension is set in from the site boundaries, with the new pitched roof of the single storey garage next to the boundary with no.15. While there are roof lights on the southern elevation of no. 15, the proposal remain single storey on this boundary and is not considered to unacceptably impact the neighbour in terms of a loss of light, or outlook. As note that new first floor ensuite windows on both side elevations will be obscure glazed to maintain the neighbours privacy. Turning to the neighbour at no.11, the two storey rear extension is also set in from the boundary line although it does project further back than the neighbours rear elevation.

However, no.13 will retain a relatively open outlook and being sited to the south the extension will not affect the neighbours' sunlight.

Overall, the proposal is not considered to have an unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.

Trees

While there are TPO's on the site, the works should not affect these trees and no objection has been raised by the Tree Officer.

Ecology and Drainage

A Bat Survey Report has been undertaken and the site was assessed as having a low bat roost suitability. Following on from this, one bat activity survey was carried out and no bats were seen emerging from the building. No objection has been raised by the Ecology Officer. A condition will be imposed to ensure that the reports recommendations are carried out.

While the Ecology Officer's recommends a precautionary working method be provided for hedgehogs, this is not considered reasonable for a householder application. Instead, the Ecology Officer's advice for hedgehogs, bats and birds will form a note to applicant on the decision notice.

It is also not considered necessary to condition drainage details for the householder application as this will be covered by building regulations.

Special Protection Area

The proposal is not considered to have likely significant impacts on the Special Protection Area.

Mobile Home

The proposal also includes the siting of a mobile home on the property's frontage driveway during the construction period, presumably to allow the residents of the property the facilities needed to carry on day to day living on site while the house is being extended. The siting of the mobile home is considered acceptable as this a temporary facility, which will be removed from site once the construction work is finished, and a condition will be imposed to this affect.

Equalities Act:

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

Section 149 (1) 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:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon

neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and emerging plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved, Policies S1, DM2 and DM3 of the Adopted Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Conclusion:

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...