

DELEGATED OFFICER REPORT

Application Ref: H/23/95801

Site Address: NAKURU ROOT, BOTLEY ROAD, FAIR OAK, EASTLEIGH, SO50 7AN

Case Officer: Claire Campbell-Best

Description: First floor front extension over existing garden room, enlargement of existing front dormer and Juliet balcony (Retrospective)

Particular Site Constraints	Yes ☒	No ☐
Within the Urban Edge Tree Preservation Order 370-E Public Right of Way Nature Conservation – Great Crested Newts Amber and Red Zone		

Planning History	Yes ☒	No ☐
Reference	Description	Decision
H/19/84806	Retention of single storey front extension (amended description)	Permit – 15/03/2019
H/19/84749	Retention of detached garage/store	Permit – 07/03/2019
H/19/84745	First floor side extension linking house to garage, conversion of existing garage to habitable accommodation including front dormer windows	Permit – 07/03/2019
H/18/84048	First floor side extension with dormer windows linking house to garage, conversion of existing garage to habitable accommodation and addition of front dormer window to front roof slope	Refuse – 27/11/2018
F/10/67067	Erection of detached flat roofed garage	Permit – 02/06/2010
F/09/65550	Conversion of existing garage to living accommodation including first floor extension and link to main dwelling with new detached garage	Refuse – 16/11/2009 (Dismissed at appeal)
F/09/94438	First floor link extension between house and existing garage and erection of new detached garage	Refuse – 04/03/2009
F/08/62204	Erection of garage to front	Withdrawn – 18/08/2008
Z/17252/018/00	Relief of condition 3 from agricultural occupancy	Permit – 01/02/1994

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	One letter of support received from a relative residing at the property detailing the following (summarised): - Wildlife has decreased as a result of building work surrounding the property - Trees provide screening and a canopy as well as a habitat for local wildlife - The garden attracts local wildlife and biodiversity enhancements have been installed and the family are keen to protect the wildlife - The dwelling is a multi-generational home who have not the financial means to extend the property to mean their family		

	means. The development will ensure a good standard of living for all family members residing at the property • Building has commenced around the site which has urbanised the character area • Extension would provide space for a reflection/prayer room and would be used by a disabled family member.
Fair Oak Parish Council:	No Objection
Ecology:	This property is within a red impact risk zone for great crested newts, with records of great crested newts, slow worms, grass snakes, common lizards and toads in the vicinity. There are records of bats roosting very close to this site and hedgehogs in the neighbourhood. It is possible that potential bat or bird roost features may have been affected by this development but we have no way of determining this now. Two bat boxes and two swift nest boxes or sparrow terraces are required as mitigation and biodiversity enhancements. The Bat Conservation Trust recommends installing a bat brick/box at least 4 m above the ground, away from artificial light sources, sheltered from strong winds and exposed to the sun for part of the day, facing south, south-east or south-west. (https://www.bats.org.uk/our-work/putting-up-your-box) Swift nest boxes are best positioned under the eaves or on walls facing north, northeast or north-west out of direct sunlight, five metres above the ground, with clear adjacent airspace so swifts can access them in a high-speed direct flight. (https://www.swiftconservation.org/Nestboxes/26Attraction.htm) The applicants must be made aware of these nearby records of protected species and their responsibilities under the wildlife laws in case of any future applications or permitted development. The Wildlife and Countryside Act (1981 as amended) is the primary legislation that protects wild animals, plants, and habitats in the UK. It lists the species which are protected by law along with their resting places and the non-native invasive species which must not be allowed to spread into the wild. If you suspect that protected or invasive species may be affected by your development, it is your responsibility to get an ecology survey and implement the recommended mitigation measures.
Trees:	No objection
HCC Rights of Way:	No comments received

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 26/09/2023		

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:Site and Surroundings

The application site contains an L shaped detached two storey detached dwelling and garage set within a large plot with a parking area to the north of the site and amenity area to the south. The site is set well back from the highway and is screened by mature, protected trees surrounding the boundaries. The surrounding area consists of a variety of housing types; there is a housing development to west of the site and a block of residential flats to the east.

Proposal

This application seeks the retention of a first floor front extension, enlarged front dormer and Juliet balcony, all of which is located on the principal elevation of the host dwelling. The first floor extension is positioned over the existing ground floor extension with the front dormer extending north and has replaced a smaller pitched roof dormer in a similar location. Both the extension and dormer are set down from the ridge of the host dwelling and would be of similar design and appearance (when completed) to the front dormer already in place permitted under planning consent H/19/84745. The Juliet balcony has replaced a window in the permitted dormer and serves a bedroom. The first floor extension comprises a reflection/prayer room and the enlarged dormer would provide additional space to an existing bedroom.

Principle

The development is considered acceptable and complies with policies DM1, DM11 and DM14 from the 2016-2036 local plan, in that the development is within the urban edge of Fair Oak where the principle of development is acceptable.

Design and Layout

- The site has extensive planning history and previous schemes have attempted to introduce front dormers of various design to the front elevation, resulting in dormers of differing design. The first floor extension and dormer mirrors the design of the hipped dormer already seen at the front of the dwelling and while the design is slightly bulky, there is some element of uniformity across the principal elevation with the development in place.
- While the development would be to the front elevation, the extension and dormer are set down from the ridge and are considered subservient in nature. The property is set well back from the road and is sufficiently screened by mature trees and a residential block of flats and would not be overly visible from the public realm, as such the impact to the street scene is minimal.
- Given the above reasons, while the design is not high quality, the visual impact would not cause detrimental harm to the character are which already features a mixed variance of housing types. On balance, the application does not warrant a refusal on design grounds.

Residential Amenity

- The development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.
- As noted, the development is sited entirely at the front of the dwelling and screened by the trees along the boundary, in addition to this, there is a separation distance of 22m from the first floor extension and 26m from the Juliet balcony to

the residential flats to the east. The 'Quality Places' SPD recommends a minimum separation distance of 22m between first floor windows in order to prevent any privacy or overlooking concerns and as such, the separation distances are acceptable and do not generate any concern. The neighbours west of the site would not be impacted upon due to the location of the development.

Highways Safety and Parking

- The development would not result in any additional bedrooms and the property will remain a 4+ bedroom house which requires 3no. off-street parking spaces as set out in the Residential Parking Standards SPD. The site can accommodate the required parking and as such there are no highway or parking concerns.

Ecology

- Owing to the nature of the works, Ecology were consulted upon. The Council's Ecologist has advised that potential bat roost features may have been affected but as the works have already commenced, they have recommended a condition to ensure bat and bird boxes or sparrow terraces are required as mitigation and biodiversity enhancements.
- The Council's Ecologist has also advised that the applicant must be made aware of these nearby records of protected species and their responsibilities under the wildlife laws in case of any future applications or permitted development. This will be recommended by way of informative.

Other Material Considerations

- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.

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 adopted local 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 local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted 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 Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the 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.

Equalities Implications:

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

Conclusion: While there are some design concerns, the site is well screened from the street scene and there will be no impact upon the nearby neighbouring amenity. On balance, this application is recommended for approval subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐