

DELEGATED OFFICER REPORT

Application Ref: PN/23/96351

Site Address: 22 WAVERLEY AVENUE, NETLEY ABBEY, SOUTHAMPTON, SO31 5AQ

Case Officer: Dorothy Hei-Tung-Hoh

Description: Additional Storey to the dwelling following the raising of the ridge by 800mm approx. with a matching pitch for the principal part of the house, a new rear dormer will form less than 40% of the roof.

Particular Site Constraints?	Yes ☒	No ☐
• Within the urban edge • Within Established Residential Area • Within Built-up Area Boundary • Tree Preservation Order(s)		

Planning History?	Yes ☒	No ☐
• H/23/96349 - Roof alterations to include raising of the roof, hip to gable enlargements and rear dormer to provide first floor accommodation - Under Consideration		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	No comments were received.		
Parish Council:	Object on grounds of the design and not in keeping with street scene.		
Tree Consultant:	No arboricultural objection to the prior approval notification.		
Ecologist:	No objection on grounds of ecology.		
Pollution Control Officer:	No objections to the developments.		

Site Visit:	Yes ☒	No ☐
Details: 16 th November 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; The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020

Assessment:

The application property is a 3-bedroom bungalow featuring a side conservatory. The property encompasses a front garden area and an extended driveway. The plot's topography is characterised by non-flat terrain, resulting in a terrace and a staircase at the rear of the property to facilitate access to the rear garden. The immediate residential vicinity primarily consists of two distinct property types: 1920s semi-detached dwellings and 1970s developments. This application relates to adding an additional storey under Class AA (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);	The above Classes of the GPDO were introduced in the 21st century, and the property was believed to be constructed in 1970s. 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 is believed that the dwellinghouse was constructed in the 1970s.	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 existing dwellinghouse consists of more than one storey;	The highest part of the proposed roof would not exceed the height of the highest part of the roof of the existing dwellinghouse by more than 3.5 metres.	Yes

	(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 would not exceed 3 metres.	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 dwellinghouse upon completion of the development; or	There will be no visible support structures.	Yes

	(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 Use Classes Order and for no other purpose, except to the extent that the other	The proposal would not comply with the conditions and limitations specified in AA.2 (2) (c) of Class AA. According to this provision, 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. A comparative analysis of the existing and proposed plans reveals a shift from a fully hipped roof (existing) to a pitched roof (proposed), constituting a fundamental alteration in the roof structure. Therefore, the proposal fails to adhere to this specific criterion. Additionally, the proposed plans reveal the inclusion of a rear dormer. It is noteworthy that the incorporation of rear dormers falls beyond the scope of Class AA and falls within Schedule 2, Part 1, Class B of the Town and Country (General Permitted Development) Order 2015 (as amended). Whereby this Class then sets out that B.1(h) <i>the existing dwelling has been enlarged in reliance on the permission granted by Class AA</i>. Thus, the simultaneous application of Classes AA and B is precluded, rendering the proposal incompatible with the prescribed regulatory framework.	No

	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 for the management of the construction of the development, which sets out the proposed		
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	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 fails to meet the stipulated condition of Class AA due to the alteration of the roof form and the inclusion of a rear dormer. Prior approval is refused.

Recommendation:

PERMIT ☐

REFUSE ☒

Comments