

DELEGATED OFFICER REPORT

Application Ref: H/25/100371

Site Address: 21 GORDON ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 5AQ

Case Officer: Dorothy Hei-Tung-Hoh

Description: Summer house in rear garden (Partly retrospective application)

Particular Site Constraints?	Yes ☒	No ☐
• Within the Urban Edge • Within Established Residential Area • Within Built-up Area Boundary • Tree Preservation Orders		

Planning History?	Yes ☒	No ☐
• Z/12326/001/00 - Erection of single storey side extension - Permit - 14/02/1975 • Z/12326/002/00 - Two storey side extension - demolition of existing garage - Permit - 16/07/1981 • F/05/54212 - Addition of rear conservatory following demolition of utility room - Permit - 05/07/2005 • H/23/94459 - Loft conversion with front and rear dormer, partial garage conversion and the remaining front part to be extended in line with front of the house, two storey side extension, single storey rear extension and alteration to fenestration - Withdrawn By Applicant - 27/02/2023 • H/23/94866 - First-floor side extensions on either side of the property, single storey rear extension, partial garage conversion and the remaining front part to be extended in line with front of the house, and alteration to fenestration (Amended description) - Permit - 28/06/2023 • H/23/96598 - Front porch, alterations to the rear fenestration, raising the roof height by 200mm to the single storey side and rear flat roof additions (Amended description) - Permit - 21/02/2024		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	Five objections and one comment were received in respect of the application. The objections raise the following concerns: • The height of the building and its siting within close proximity to the shared boundary, which is considered to result in an overbearing and dominant structure. • Loss of openness, outlook and residential amenity arising from the scale, length and bulk of the structure. • Loss of privacy due to windows and activity within the building adjacent to neighbouring gardens. • Concerns that the building is capable of functioning as a separate dwelling or business premises.		

	- Concerns of potential noise, disturbance, traffic, and parking pressure. - Concerns regarding foul and surface water drainage, including the presence of historic pitch fibre drains serving neighbouring properties, and alleged unauthorised connections. - Concerns regarding impact upon trees protected by Tree Preservation Orders and possible damage to root systems. - Impact upon local biodiversity, including reference to hedgehogs and other wildlife species using rear gardens as corridors. The single comment seeks clarification as to whether business use is proposed and notes that, if commercial activity were to take place, this could affect traffic levels within the road. These matters are considered in detail within the assessment section below.
Parish Council:	No formal comments were received from the Parish Council.
Tree Consultant:	An initial objection was raised due to the structure being within the Root Protection Areas of trees protected by Tree Preservation Orders. Following submission of an Arboricultural Impact Assessment in accordance with BS5837, the Council's Tree Consultant raises no objection to the retention of the structure.
Southern Water:	Requested that details of foul and surface water drainage be secured by condition prior to commencement.

Site Visit:	Yes ☒	No ☐
Details: 12 th December 2025.		

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 (Chandler's Ford and Hiltingbury Character Areas – Hiltingbury Road West)

Assessment:
<u>Site context and surroundings</u> The application site comprises a two-storey detached dwelling. The property has been extended in recent years. To the rear, the site benefits from a substantial private garden area.

The surrounding area is residential in character and is characterised by sizeable detached dwellings set within spacious plots. Properties are generally set back from the highway with private driveways and grass verges, contributing to the open and spacious character of the street scene. Rear garden areas are generally bounded by timber fencing and planting.

Proposal

The application seeks part retrospective planning permission for the retention of a detached outbuilding located within the rear garden.

The structure measures approximately 8.92m in width by 4.40m in depth, with a flat roof design. The overall height is approximately 2.58m. The building is positioned close to the shared boundary with 19 Gordon Road.

Internally, the building comprises an office space and a WC/bathroom. No kitchen facilities or sleeping accommodation are shown on the submitted plans. The proposal includes connection to the existing foul drainage system serving the dwelling and provision of a new soakaway for surface water.

At the time of the officer's site visit, the structure had been substantially completed.

Policies

- The application site lies within an established residential area where the basic principle of development is acceptable, with any formal approval being based upon the exact nature, design, and impact of that proposed being considered acceptable and in accordance with the relevant policies within the adopted local plan and supplementary planning guidance.
- The site is also part of the character area of Chandler's Ford and Hiltingbury (Hiltingbury Road West) which provides the following guidance on developments and that they should ensure that:
 - i) sufficient garden depth and area is retained by existing or replacement dwellings, commensurate with their size and character, which can accommodate appropriate tree planting in keeping with the character of existing plots.
 - ii) no healthy mature trees would be felled or likely to be damaged.
 - iii) the design of any new building work, including extensions, is compatible with the character of adjacent good quality properties and fits well into the overall street-scene.
 - iv) the existing building line along street frontages is respected.

Principle of Development

- Outbuilding incidental to the enjoyment of a dwellinghouse are acceptable in principle, subject to compliance with policies and consideration of their impact.
- The structure does not benefit from permitted development rights solely because it exceeds the 2.5m height limitation applicable to buildings located within 2.0m of a boundary. The submitted drawings show the outbuilding to have an overall height of approximately 2.58m, exceeding the 2.5m permitted development limit by around 80mm.
- Apart from the marginal difference in height, the development is comparable in scale, footprint, and siting to outbuildings that could be erected under permitted development rights. This fallback position is a material planning consideration.

Layout, design, and impact upon the character of the area

- 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 neighbourhood, and be compatible in terms of mass, scale, layout density, design, and siting.
- The structure is located within the rear garden and is not visible from the public highway. As such, it does not impact upon the street scene or the wider public realm.
- Whilst the building is relatively large for a garden outbuilding, it remains single storey with a flat roof form. Within spacious residential plots, it does not consider an overdevelopment.
- Objections relating to precedent are noted. However, each planning application must be determined on its own merits. The approval of this application would not automatically justify larger or materially different forms of development elsewhere.

Impact on residential amenity

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
- It is acknowledged that the outbuilding is positioned close to the shared boundary with 19 Gordon Road and that its presence has altered the outlook from the adjoining garden. However, the structure remains single storey and of a height broadly comparable to that of outbuildings which could be erected under permitted development. Whilst some degree of change to outlook has occurred, it is not considered that the scale and height of the outbuilding give rise to an unacceptable overbearing impact when viewed in the context of typical domestic boundary treatments and garden relationships.
- The outbuilding contains windows and large sliding doors. However, it is considered that the level of intervisibility that may occur is not materially different from that typically experienced between neighbouring gardens in a residential setting.
- There is no evidence before the Local Planning Authority to demonstrate that the outbuilding is being used for commercial purposes or as a separate unit of accommodation. The submitted floor plans show an office space and a WC/bathroom only, with no kitchen facilities or sleeping accommodation proposed. The submitted planning statement also confirms that the building is intended to remain incidental to the enjoyment of the main dwelling. To safeguard neighbouring amenity, a planning condition can be imposed restricting the use of the outbuilding to purposes incidental to the enjoyment of the host dwelling only, thereby preventing commercial, business, holiday letting, or separate unit of accommodation.
- Concerns relating to construction practices and disturbance are noted. However, construction impacts are temporary in nature and are not material considerations in the determination of this planning application.
- Concerns have been raised by neighbouring occupiers regarding foul and surface water drainage, including the proximity of historic drainage infrastructure. The applicant has confirmed that foul drainage from the WC/bathroom will connect to

the existing drainage system serving the dwelling, and that surface water from the roof will be managed via an on-site soakaway. It should be noted that drainage design and technical compliance are primarily matters controlled under Building Regulations and by the relevant statutory undertakers.

Trees

- The building is situated within the Root Protection Areas (RPAs) of several significant trees that are statutorily protected under Tree Protection Order (TPO) legislation.
- Following submission of an arboricultural impact assessment, the Council's Tree3 Consultant raises no objection to the retention of the structure. Accordingly, the proposal is acceptable in arboricultural terms.

Highways and 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 proposal does not result in the creation of an additional dwelling and does not alter existing parking arrangements. Accordingly, no highway or parking concerns are identified.

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:

Permit subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐