

DELEGATED OFFICER REPORT

Application Ref: H/25/100647

Site Address: 22 BURNS ROAD, EASTLEIGH, SO50 5DT

Case Officer: Gina Aftanas

Description: Erection of single storey rear extension following demolition of existing extension. Retention of rear garden shed (part retrospective).

Particular Site Constraints?	Yes ☒	No ☐
Within the urban edge Character area appraisal ELAC 19 Records of bats nearby Southern Water foul pipe within the boundary line		

Planning History?	Yes ☐	No ☒
No relevant site history		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>20 Burns Road</u> With regard to the single storey rear extension and demolition of existing extension: We support this part of the application. We deeply regret the removal of an established tree that would have continued to act as a screen between the two gardens, and wildlife habitat, which appears to have been removed in anticipation of planning permission. Mindful of the close proximity of our respective dwellings we would appreciate the applicant abiding by normal hours of demolition and construction as a minimum protection of our wellbeing with respect to noise and dust during the demolition and construction. Access to the rear of the property should be only via the forecourt of No 22 and shared access alleyway, with no rights of access being assumed by tradespeople via the forecourt of No 20. With regard to the Retention of rear garden shed (retrospective): We object for reasons of: <u>Overlooking and loss of privacy:</u> The high concrete base is a raised platform which means that accessing the shed and views from its high window creates the opportunity for overlooking our neighbouring private space, higher than it would do for a shed of reasonable overall height or on a lower platform. (The limited current use of the shed and overlooking is not material; the shed may come into a different use with people coming and going and occupying the shed, and therefore overlooking our property, more frequently than is currently the case). <u>Overbearing nature or dominance (overdevelopment):</u> the shed's height and proximity to adjoining properties makes it feel overwhelming and out-of-scale in comparison to the surrounding buildings and area's character. <u>Design and appearance:</u> the shed's design, materials, and appearance are considered out of character with the local neighbourhood, and an undesirable precedent. The imposing grey colour conveys an industrial use, whereas a wooden, wooden coloured (brown) or green exterior would be more in keeping. The double-pitched roof is a departure from other outbuildings in the neighbourhood, with a single pitched roof being more in keeping and requiring a lower height overall. While in strict architectural terms the neighbourhood may be deemed by some to have 'low character', for those living in this and other similar 'low character' areas, the prevalent character - 'low' or 'high' - is one that should be given weight in planning terms. <u>Loss of outlook:</u> the shed's height and mass, so close to the boundary with our property creates an excessively hemmed-in and enclosed feeling.		
Parish Council:	No Objection		

Ecology:	No objection subject to informatives being included within the decision notice.
Southern Water:	The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. The 160 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access. No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water. All existing infrastructure should be protected during the course of construction works. In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers.

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out via a neighbouring property 13/02/2026 – photographs on file.		

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>

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 Appraisal ELAC 19. <u>Character Area Guidance</u> • Maintain the predominant plot widths and continuity in building line. • Ensure that any backland development is subordinate to the existing development and serviced via a separate access road. • Ensure that the form of new development relates effectively with the gabled end frontages prominent in existing development.

Proposal:
This application seeks approval for the erection of a single storey rear extension and the retention of a garden shed. The extension measures approximately 4.2m in width, 5m in depth and 2.9m in height utilising timber cladding materials with bi-fold doors accessing the rear garden and 2no. high level obscured glass windows to the northern elevation. The shed measures approximately 4.7m in width, 2.4m in depth and 2.4m in height rising to 2.6 due to a concrete base.

Assessment:
<u>Principle</u>

The development is located within the urban edge, where the principle of development is considered acceptable, subject to the detailed matters according with the relevant planning policies.

Site and Surroundings

The application site comprises a two-storey terrace house located towards the southern end of Burns Road, south of Derby Road in Eastleigh. The property is set back from the road by way of a driveway, and the rear is fully enclosed utilising fence boundary treatment and brick wall. The surrounding area is residential in nature featuring similar style house-types.

Character and Appearance

Policy DM1 requires development to take full and proper account of the context of the site including the character and appearance of the locality and be well integrated with these (in terms of mass, scale, materials, layout, density, design and siting), both in itself and in relation to adjoining buildings, spaces and views.

The extension is suited to the host dwelling in terms of form and scale by use of a single storey, flat-roof design. These types of extensions are a prominent feature within Burns Road, including both neighbouring properties. The extension will not be seen from the public realm due to its positioning and the terrace style of property, so will not cause any harm to the street scene. The use of cladding material will differ from the surrounding materials; however, due to its position at the rear of the property, and both the surrounding extensions differing in terms of finish type also, it is not considered to cause significant harm to the character and appearance of the area.

The retrospective shed element is already in place, and while it is marginally taller than other nearby outbuildings, it remains completely hidden from the public realm. Although its colour differs from neighbouring sheds, it is not visually intrusive when viewed in context and is therefore not considered harmful to the character or appearance of the surrounding area.

The development would not be an overdevelopment of the site, would retain sufficient amenity space and meet parking standards. As a result, the development respects the established character of the locality and complies with the requirements of Policy DM1 and character area appraisal ELAC 19.

Residential Amenity

Policy DM1 amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

The neighbour at 20 Burns Road is likely to be the most affected by the extension element of this proposal, as the proposed extension projects further than their own, and includes windows on their side. However, the extension is proposed to be set slightly in from the existing side elevation, and to make use of high-level, obscured-glass windows facing this boundary will minimise any sense of overbearing impact and the potential for overlooking or loss of privacy.

The neighbour at 24 Burns Road already benefits from a larger extension, therefore, the proposed works are not expected to have a negative impact on this property in terms of loss of privacy, light or outlook.

The shed element of this proposal is positioned at the rear of the garden, and due to its intended use and small window openings, it is not considered to result in any loss of light, privacy, or outlook for the neighbours at 20 or 24 Burns Road. A condition will be applied

to ensure that the use of the shed remains strictly ancillary to the host dwelling to protect the amenity of the adjoining residential properties.

The rear neighbour at 1 Burns Close is also unlikely to be adversely affected. The shed's slight height increase, when considered alongside the surrounding sheds and the sun's trajectory, is not considered to cause significant harm to this neighbour.

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.

It should be noted that matters relating to the Party Wall Act 1996, fall outside the scope of the planning process. Any works that may affect a shared boundary, party structure or neighbouring foundations are the responsibility of the applicant to address directly with adjoining owners in accordance with the requirements of the Act. While this legislation operates independently of planning permission, the applicant is advised to ensure that all necessary notices and agreements are in place prior to commencing development.

Any dust or noise created, and working hours in relation to the construction of development would be dealt with by separate environmental legislation at the time.

Southern Water

Due to an existing sewer and watermain within the boundary of the site, Southern Water were consulted as part of this application. They responded with the following comment which have been passed on to the applicant.

- The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.
- The 160 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access. No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water. All existing infrastructure should be protected during the course of construction works.

Southern Water have also requested the following condition be included within the decision notice. However, due to this condition not meeting the statutory tests in this instance, it will instead be included as an informative.

In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers.

Ecology

Due to records of bats nearby, the Council's Ecology Team were consulted as part of this application. After a review of the site, it was concluded that the existing rear extension is not likely to provide suitable habitat and therefore have no objection to the proposal, subject to the following informatives.

- Biodiversity enhancements will be required in accordance with Local Plan policy DM 11 and NPPF (December 2024) paragraphs 187d and 192 b. A bat box and a swift nest box may be appropriate for this building.
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](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.

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; (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.

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: This application is recommended for approval.

Recommendation:

PERMIT ☒

REFUSE ☐