

DELEGATED OFFICER REPORT

Application Ref: PN/26/101120

Site Address: 195 BODYCOATS ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 2JA

Case Officer: Angela Rainger

Description: Prior notification for the erection of a single storey rear extension following removal of existing conservatory and part of garage. Depth 6 metres, maximum height 3.4 metres, eaves height 3 metres.

Particular Site Constraints?	Yes ☒	No ☐
Urban edge.		

Planning History	Yes ☒	No ☐
LDC/26/101097 - 195 BODYCOATS ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 2JA – Current application – loft conversion.		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representation: 197 Bodycoats Road	Whilst overall supportive of the application intent, it is not clear in the submitted documentation how the Party Wall Act applies to this application. To date, I have not received any notification under the act. I believe both Section 2 & Section 6 of the Party Wall Act apply due to the planned partial demolition of the existing adjoining garages between the two properties and the required excavations within 3 metres of the adjoining garages boundary. The garages share load-bearing walls, roof and drainage on the property boundary line which mean any change to the existing structures pose a significant risk to the integrity and weatherproofing of the remaining building and I cannot see within the plans how these risks are to be mitigated. In addition, a previously used contractor identified the potential for asbestos in the existing garage roof which will require a specialist contractor to assess and remove (if found). Therefore, I would like to request the council to enforce the applicant to submit a survey or method statement from a suitably qualified and experienced professional, or Party Wall Surveyor if needed, to confirm the works will not impact the overall structural integrity of the existing structures and ensure that the previous internal wall remains suitable to become an external wall and exposed to elements as planned under the application. I also request the council enforce a 'make good' obligation on the applicant were any material defects to occur during the works.		
Parish Council:	n/a		

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out on 22 April 2026		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: - The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policy being Development Management Policy DM1.

Supplementary Planning Documents:
Quality Places.

Assessment:

Legislative Background:

The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 allows for the construction of single storey rear extensions up to 6 metres in depth on non-detached properties, subject to compliance with a number of other requirements and a specified prior notification process being followed.

It is stated within these regulations, that where any owner or occupier of any adjoining premises objects to the proposed development within a 21-day minimum period, the prior approval of the local planning authority is then required as to the impact of the proposed development on the amenity of any of the adjoining premises. In this regard and in assessing such impact, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states: "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."

This legislation was amended on 25 May 2019 by virtue of The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019 to allow for the previously temporary Permitted Development rights for larger homes extensions to become permanent.

Material Considerations:

Permitted Development compliance:

The proposed rear extension is considered to conform with the provisions of Part 1, Class A of the Second Schedule of the Town and Country Planning (General Permitted Development) (England) Order 2015 in that the proposed enlargement:

- is not on Article 1(5) land (land in a National Park, an Area of Outstanding Natural Beauty, a Conservation Area, the Broads or an SSSI or World Heritage Site
- is single storey
- when in place, no more than 50% of the area of land around the original house (as it was first built or as it stood on 1 July 1948) would be covered by additions or other buildings.
- would not be forward of the principal elevation or a side elevation fronting a highway.
- Would not be higher than the highest part of the roof.
- does not exceed the maximum height of a single-storey rear extension of four metres.
- does not exceed the maximum eaves height of an extension within two metres of the boundary of three metres.
- does not exceed the eaves and ridge height of the existing house.
- is to be built of materials similar in appearance to the existing house.
- does not include verandas, balconies or raised platforms.

The proposed single storey rear extension extends beyond the rear wall of the original attached dwelling by 6.0 metres (more than 3 metres but not more than 6 metres), has a height not exceeding 4 metres, and an eaves height not exceeding 3 metres within 2 metres of the site boundary.

This meets the criteria for permitted development under the prior notification process, however as an objection has been received, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.

Residential Amenity:

The development is within the urban edge where the principal of development is acceptable, subject to complying with the relevant development plan policies.

The proposed single storey rear extension will extend 6 metres beyond the rear wall of the original dwellinghouse, will have an eaves height of 3 metres, a maximum height of 3.4 metres to the top of the roof lantern and will be positioned close to the boundary with No.193 Bodycoats Road. These dimensions meet the limitations of the permitted development regulations.

The site, No.195 Bodycoats Road is a semi-detached dwelling with a driveway to the side leading to a semi-detached garage to the rear which will be reduced in size as part of the proposal. The rear garden slopes slightly upwards from the rear of the dwelling with a step from the patio to the lawn. The existing conservatory will be removed as part of the proposed development.

The attached neighbouring dwelling, No. 193, is screened by 1.8 metre wooden fencing. This dwelling is currently unoccupied, partially boarded up and in a poor state of repair. The property would have a large window and glazed door to the rear serving the dining area and kitchen. The orientation of the properties is such that the rear gardens face to the south, and with the proposals not failing both daylighting tests for rear extensions as set out in the Quality Places Supplementary Planning Document, it is therefore not considered that the proposed extension would create an undue level of overshadowing or have an unacceptable level of loss of light to number 193.

Toynbee Secondary School is located to the rear of the dwellings. The property is screened by 1.8 metre wooden fencing, and the proposal cannot be seen from school buildings due to the row of conifer trees situated within the school grounds. There will be no impact on this property.

The neighbour property to the east is number 197 Bodycoats Road. This property is separated from the proposed extension by the driveways for number 195 and 197 and the proposal will be screened by 2 metre wooden fencing and the existing garage. It is therefore considered that the amenity of this property will not be unduly affected by the proposal. The occupier of this dwelling has not objected to the extension itself but has raised other concerns which will be discussed below.

It is accepted that the proposed extension is a significant addition having a depth of 6 metres which is the maximum which is allowed under the permitted development regulations for the larger home extensions for attached properties. However, it is not considered that the detrimental impact in terms of overbearing impact and loss of outlook is sufficient to refuse the application.

There are no side facing windows proposed within the single storey extension. As a result, there will be no impact to neighbouring properties in terms of loss of privacy or overlooking under the proposed development.

The garden is of a reasonable size, and as such, the development would not represent an overdevelopment of the site and would retain sufficient amenity space.

For the reasons above it is considered that the development proposed would comply with Policy DM1 of the Eastleigh Borough Local Plan 2016-2036, which requires development to take full and proper account of the context of the site and to be appropriate in terms of mass, scale, design and siting both in themselves and in relation to adjoining buildings.

Other matters raised in relation to works to garage:

Implementation of Party Wall Act and request to make good any damage that occurs during the works:

These concerns would be a civil matter relating to the Party Wall Act (1996), and it would be the remit of Building Control at Southampton City Council, or whichever Building Control body is appointed, to ensure that any construction or demolition works comply with current Building Regulations. The application has been amended slightly during the application process to show the party wall will remain in place between the garages.

An informative note can be added to the decision notice in relation to the above points.

Potential for asbestos to be found in garage roof:

Should asbestos be identified during the works, a specialist contractor should be appointed by the applicant in order to assess/removed as required.

Again, an informative note can be added to the decision notice in relation to this.

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:

Recommendation:

PERMIT ☒

REFUSE ☐

The proposed single storey rear extension is considered to be appropriate in its size and scale, and will not have a significant detrimental impact on the amenity of neighbouring properties.

It is therefore recommended that prior approval is granted.