

DELEGATED OFFICER REPORT

Application Ref: H/23/96422

Site Address: 43 CHILLERTON, NETLEY ABBEY, SOUTHAMPTON, SO31 5GW

Case Officer: Claire Campbell-Best

Description: Proposed two storey side extension and single storey rear extension (revised scheme to planning permission H/21/91315) (Part Retrospective)

Particular Site Constraints	Yes ☒	No ☐
Within the Urban Edge Within Established Residential Area EBC Owned Land Southern Water Services 2m Buffer – Foul Sewer Public Rights of Way 25m Buffer		

Planning History	Yes ☒	No ☐
Reference	Description	Decision
H/21/91315	Proposed two storey side extension and single storey rear extension	Permit – 29/10/2021
H/21/90514	Proposed two storey side extension	Withdrawn – 30/06/2021
Z/14866/009/00	Construction of 91 houses and garages, access roads, footpath and landscaping	Permit – 21/11/1979

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	<u>1no. objection from no. 42 Chillerton (summarised):</u> - Overdevelopment - Loss of light - Proposed development built up to the shared boundary - Rear access has been created and Council hedging removed - Scaffolding should not be erected on neighbouring land and contractors should not use neighbouring land during building works - Lack of car parking The application also received 1no. letter of support from the applicant. LPA Note: The rear access and removal of hedging does not form part of this application and will be subject to a separate enforcement investigation. The remaining points raised by no. 42 will be covered in the assessment below.		
Hound Parish Council:	No Objection		
Southern Water Services:	No objection – informative advised		
HCC Access Development Officer (Rights of Way)	No objection – informative advised		

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 05/12/2023		

Policy:

National Planning Policy Framework Planning Practice Guidance

Development Plan:

The Eastleigh Borough Local Plan 2016-2036 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 a two storey end of terrace dwelling located on the south western side of Chillerton. The property has a slight set back from the road; there is a modest front garden and hardstanding driveway that wraps around the dwelling leading to access to the rear garden. To the rear of the site to the southwest lies a Public Right of Way. The application dwelling forms part of a 1980/90s housing development, consisting primarily of two storey terraces and semi-detached houses arranged in cul-de-sacs with areas of parking.

Proposal

Planning application H/21/91315 granted permission for a two storey side and single storey rear extension. It should be noted that part of the single storey has already been constructed and is not in accordance with the approved plans. Due to this the application has been described as part retrospective.

This application proposes amendments to the proposed single storey rear extension; this would involve the roof form changing from wholly flat to part flat and part hipped, decreasing the depth of the extension by 0.2m. To the proposed rear elevation; 1no. window would replace the window and door serving the garage/utility room and a set of patio doors and 2no. windows would replace the bi-fold doors serving the family area.

There would also be a slight amendment to the two storey side element; this would involve replacing a garage door with an access door. This would be the only amendment to this element and the extension would still comprise a utility/garage at ground floor level and an overhanging second storey (containing a bedroom, ensuite and dressing room) creating an undercroft parking area as approved under H/21/91315.

Principle

The application site falls within the urban edge, whereby alterations or extensions to, within the curtilage of residential dwellinghouses are considered to be acceptable in principle, however, would be subject to the following considerations.

It should also be noted that the site has extant permission to construct a similar sized structure which is a material consideration upon the assessment of this application.

Design and Layout

- The design of the two storey and single storey rear extension is suited to the host dwelling in terms of its form, scale and appearance.
- The size and design of the extension is considered to be sympathetic to the existing property and the character of the locality. The two storey side extension would be visible in the street scene but is set back from the principal elevation and would be subservient addition to the host dwelling.

- It is noted the change in roof form to the single storey extension does add additional bulk to the development. However, as this element is single storey in nature and to the rear of the property and not visible within the public realm, the amendments would not result in an overly prominent feature within the locality.
- The design and layout respects the character and appearance of the locality. It was noted there are some examples of similarly designed two storey side extensions in the surrounding area, therefore, the proposal is considered to be in keeping, the use of matching materials would ensure the development blends into the street scene.
- The development would not be an overdevelopment of the site and would retain sufficient amenity space.

Residential Amenity

- There would not be an unacceptable impact to neighbouring properties by way of a loss of light, outlook, overbearing impact or overlooking due to the orientation and distance from neighbouring properties.
- The Council's Quality Places SPD applies a 45-degree test in relation to daylighting and sunlighting. The single storey rear and two storey side extension passes the 45-degree test in relation to the conservatory at no. 42 and the rear windows of no. 44.
- No. 42 has raised concerns the two storey extension would impact upon the amount of light they received. This neighbour has a first floor side facing window would face the flank wall of the proposed two storey extension. It appears this window serves a landing area, therefore, while it is acknowledged there would be a loss of light to this window, it is not considered that this would result in significant material harm to this neighbour.
- The same neighbour has also voice concerns scaffolding may be erected on their land and contractors may need access on their land during building works. With regards to any scaffolding on neighbouring land, this is considered a private matter that would need to be settled between landowners. To ensure building works are not overly disruptive, a considerate builders note will be advised to the applicant by way of informative.
- The hipped roof to the single storey extension is located close no. 44, while it is noted the overall height to the roof is 1m higher than what was permitted, its hipped form slopes away from no. 44. Additionally, this neighbour is positioned slightly forwards at the rear due to its positioning within the terraced block, taking these factors into consideration, the amended roof form is not considered to adversely impact upon this neighbour.
- Therefore, 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.

Highways Safety and Parking

- Parking concerns have been raised by the neighbour at no. 42; the proposal would result in a dressing room which could potentially be used an additional bedroom, resulting in a 4no. bedroom dwelling. This would require 3no. off-street parking spaces as set out in the Residential Parking Standards SPD.
- The proposed garage does not meet the minimum space standards to be considered as a parking space, the site plan indicates that 2no. off-street parking spaces can be provided on site.
- The previous Officer concluded that there is a shared parking area a short distance away to the east which the applicant has confirmed they have the right to use. As such, it is considered any overflow parking could be accommodated in this area and the quantum of parking provided on site is therefore acceptable.

Other Material Considerations

- The site is in fairly close proximity to a Public Right of Way (southwest of the site). The Hampshire County Council Rights of Way Officer was consulted upon and confirmed they had no objections to the proposal and recommended informatives to the applicant.
- 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: This application is recommended for approval, subject to conditions

Recommendation:

PERMIT ☒

REFUSE ☐