

DELEGATED OFFICER REPORT

Application Ref: H/24/97440

Site Address: 9 DEANFIELD CLOSE, HAMBLE-LE-RICE, SOUTHAMPTON, SO31 4JJ

Case Officer: Dorothy Hei-Tung-Hoh

Description: Single storey rear extension following demolition of conservatory with alterations to fenestration.

Particular Site Constraints?	Yes ☒	No ☐
• Within Established Residential Area • Within Built-up Area Boundary • Under Article 4 restricting the use of land by Hovercraft.		

Planning History?	Yes ☒	No ☐
• Z/25075/000/00 - Alterations and single storey rear extension to dwelling and garage - Permit - 18/02/1981 • Z/40412/000/00 - Construction of single storey side and rear extension - Permit - 28/01/2004 • LDC/23/96576 - Proposed Lawful Development Certificate for a Proposed Use or Development: Single storey rear extension following demolition of conservatory - CLOPUD - Certificate Not Issued - 07/02/2024		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	No comments were received.		
Parish Council:	The Parish raises no objection to this application providing that the reasons for Eastleigh Borough Council refusing the Lawful Development Certificate have been fully overcome.		
Ecologist:	There are no visible potential bat roost features on the building.		

Site Visit:	Yes ☒	No ☐
Details: 28 th May 2024.		

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 for Bursledon, Hamble-le-Rice and Hound (BHH 61)

Assessment:

The application property is a detached, brick-built bungalow featuring a garage to the side and a conservatory to the rear. Located in a cul-de-sac in West Hamble, the immediate neighbouring properties are predominantly detached, brick-built bungalows, some of which have been extended to include first-floor accommodation. The application seeks planning permission to replace the existing conservatory with a single-storey rear extension, aiming to create an open-plan kitchen, dining, and living area.

Background

A review of the planning history reveals that a Lawful Development Certificate (LDC) was previously submitted for the same scheme but was refused. The refusal was due to the proposed extension being joined to an existing extension, as the rear of the garage and the rear of the living room were later additions to the property, approved under application Z/25075/00/00. Consequently, the total enlargement to the dwellinghouse (comprising the proposed and existing enlargements) would exceed 4.0m in height, extend beyond a wall forming a side elevation of the original dwellinghouse, and have a width greater than half the width of the original dwellinghouse. This configuration does not comply with Class A (j) (i) and (iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015. Additionally, the total enlargement would extend beyond the rear wall of the original dwellinghouse by more than 4.0m and exceed 4.0m in height, failing to meet the criteria set out in Class A (f) (i) and (ii). Therefore, based on the information provided, the proposed development does not comply with permitted development regulations under Class A of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015.

Principle

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.

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.
- From a planning perspective, the size and scale of the proposed single-storey rear extension are modest, as it essentially occupies the same footprint as the existing conservatory. Being only a single storey in height, its visual impact is also considered limited.
- Positioned at the rear of the property, the extension will not be visible from the street scene and thus will not affect the character of the area.
- By using materials that match those of the existing house, it is anticipated that the rear elevation of the property will present an improved appearance compared to the current conservatory.

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.

- Given that the proposed single-storey extension largely occupies the same footprint as the current conservatory, with only a minimal increase in area, and does not extend up to the shared boundary, it is not considered that the adjacent neighbours will notice any significant differences.
- Additionally, as a typical rear extension, it will feature less glazing than the current conservatory, thereby reducing the potential for overlooking and preserving the privacy of neighbouring properties.

Ecology

- Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) stipulates that the Borough Council will work with statutory and voluntary agencies and developers to; protect, conserve and enhance areas subject to international, national and local nature conservation designations, and promote the net gain of biodiversity on all sites through the protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.
- After reviewing site photographs, the council's ecologist has confirmed that there are no visible potential bat roost features on the building, indicating that no further ecological survey is required.
- It is also not anticipated that other protected species will be affected by this proposal. However, it is recommended that if any animals such as hedgehogs are found on site during construction, they should not be handled but allowed to move to a place of safety on their own.

Trees and landscaping

- It is noted that the trees at the back of the rear boundary of the site are protected by a Tree Preservation Order (TPO). However, these trees are situated at a sufficient distance from the proposed development, ensuring that they will not be affected.

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 proposed rear extension is not intended to create an additional bedroom, so no additional parking spaces are required. The existing parking provisions will remain sufficient for the property.

Other matters

- It is noted that the Parish Council has raised no objection to the proposed development, provided that the reasons for the refusal of the previous Lawful Development Certificate (LDC) have been fully addressed.
- The refusal of the LDC was primarily due to the proposal not matching the guidelines for permitted development, as outlined in Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. Specifically, the proposed extension, combined with existing extensions, exceeded permissible height and width limits. However, upon assessing the current proposal within the context of a formal planning application, it is considered that the extension is visually unobtrusive and sympathetic to the character of the existing dwelling and the surrounding area. The proposed single-storey rear extension,

which essentially occupies the same footprint as the existing conservatory, ensures that there is no overdevelopment of the site. The use of matching materials further integrates the extension with the existing structure. Moreover, the height and dimensions of the proposed extension are not considered to dominate the existing structure or negatively impact the neighbouring properties.

- Given these considerations, the proposal aligns with planning regulations and does not provide any grounds for refusal. Therefore, the concerns raised by the Parish Council have been adequately addressed, and the application is recommended for approval.

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, 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.

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 ☐