

DELEGATED OFFICER REPORT

Application Ref: H/24/97790

Site Address: THE MOUNT, WILLOW GROVE, FAIR OAK, EASTLEIGH, SO50 7BJ

Case Officer: Claire Campbell-Best

Description: Two storey rear extension with dormers and roof lights, and a two storey front extension including porch and external cladding. Garage conversion and extension for annexe

Particular Site Constraints	Yes ☐	No ☒
Within the Urban Edge With Established Residential Area		

Planning History	Yes ☒	No ☐
Reference No.	Proposal	Decision
Z/30837/000/00	First floor rear extension including dormer windows	Permit – 22/03/1989

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>Three letters of objection received from 9 and 10 Rustan Close and 35 Mortimers Lane (Summarised):</u> • Loss of light • Loss of privacy • Overdevelopment • Not in keeping with the other properties within the close • Annexe will generate noise • Dormer windows on north elevation will directly face bedroom windows		
Fair Oak Parish Council:	No objection		
Ecology:	<u>Updated comments on site photos received 09/09/2024 (summarised):</u> A PRA (Preliminary bat roost appraisal) will be sufficient in this situation, as the photos show that there could be potential bat roost features and the hanging tiles need to be checked carefully for gaps which could be used by crevice-roosting bats. The most appropriate locations for biodiversity enhancements should be shown in the report. A precautionary working method must be agreed to protect slow worms, great crested newts and stag beetles. It should include the following: All building materials to be stored on hard standing or on pallets, as far as possible from hedgerows, scrub or potential habitat. Any excavations must be covered at night or be fitted with a small animal escape ramp No fires can be lit on site. Waste must be stored in a skip and not be allowed to accumulate in piles which could be used by wildlife. Any animals found on site should not be handled but be allowed to move away to a place of safety on their own. Any vegetation to be removed to facilitate the development must be removed outside of bird nesting season (which is usually between the		

	beginning of March and the end of August) or if this is not possible then only after being checked for nesting birds by a suitably qualified ecologist. If any active nests are found work must stop and a 5 m buffer must be erected around the nest to protect it from disturbance until after the birds have fledged and left the nest. <u>Original comments received 06/08/2024 (summarised):</u> A preliminary ecological appraisal will be required.
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Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 12/08/2024 – Photographs on file.		

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 (BIFOHH 49), Annexes for Dependent Relatives Supplementary Planning Guidance SPD.

Assessment:
<u>Site and Surroundings</u> The application site contains a detached chalet bungalow with front and side facing dormer windows located on the eastern side of Willow Grove. The property itself is set well back from the highway by a driveway and front garden and is located centrally within the plot. The site also slopes away from the highway and the dwelling is on slightly elevated ground levels. The surrounding properties within the cul-de-sac are traditional in character and features a mixture of one and two storey detached properties, the application site also contributes to the traditional character seen within the locality. <u>Proposal</u> This application seeks permission for a two storey front and rear extension. The existing garage is also proposed to be extended and converted into an annexe with living accommodation. An existing dormer window to the northern elevation also proposes clear glass (replacing obscure glazing) and the existing southern dormer would be elongated to provide additional first floor living accommodation. The proposals involve significant work to the site which would result in the principal elevation of the property having a contemporary appearance, a bulky rear extension and an extended and converted garage accommodating an annexe that is disproportionate to the host dwelling. For this reasons, the application is recommended for refusal. <u>Principle</u> The application site falls within the urban edge, whereby alterations or extension to, or within the curtilage of residential dwellings are considered to be acceptable in principle, however, would be subject to the following considerations listed below: <u>Character and Appearance</u>

The Mount is a traditional and modest property within Willow Grove and contributes to the character within the locality. The introduction of a two storey front extension with an asymmetric roof, glazing and cladding (colour unknown) would result in a contemporary feature within the street scene that would be visually intrusive and an alien feature within the locality. This element does not respect the traditional character of the property or the surrounding properties and will form a reason for refusal.

The two storey rear extension is considered an excessive and bulky addition to the host dwelling, exacerbated by the introduction of two additional dormers to the northern and southern roof slopes. The extension would maintain the ridge of the host dwelling and project approximately 4.6m in depth into the rear garden. It is acknowledged the extension would be stepped in to the south so that it would not span the whole width of the dwelling and there is a barn hip which does slightly reduce the bulk to the proposal. However, this is not enough mitigation to ease the concerns of the bulk and massing to this element and is considered to be harmful to the character of the original chalet bungalow, forming another reason for refusal.

Turning to the proposed annexe; it is noted a structure of this size could be constructed under the applicant's permitted development rights. The introduction of an annexe and living accommodation however, does require formal planning permission. The annexe would be located in a similar location to the existing garage in the southeastern corner of the plot but would have a considerably larger footprint of 58sqm. The applicant has confirmed the annexe will be used by an elderly relative.

The annexe proposes a living and kitchen area with a separate bedroom and bathroom. The only shared facilities between the host dwelling and the annexe would be the rear garden. The site plan indicates the annexe would be accessed through the main dwelling, reinforcing its ancillary use. The main concern is the disproportionate size of the annexe; when considering the amount of accommodation proposed to the extensions to the host dwelling and the amount of living accommodation offered by the annexe. This annexe is therefore considered to be excessive in size and along with the lack of shared facilities, the annexe is considered to be an overdevelopment and contrary to the Supplementary Planning Guidance for Annexes, warranting refusal of the application.

Overall and to conclude for the reasons listed above, the application is recommended for refusal with regards to its design, massing and scale.

Residential Amenity

The neighbours most impacted by the proposals are the neighbours to the north, 35 and 33 Mortimers Lane, the neighbours to the rear of the site to the east, 9 and 10 Rustan Close and the neighbour to the south, Windy Willows.

Impact on 35 Mortimers Lane:

This neighbour has raised concerns to the proposal stating the northern dormers would directly face their garden and rear facing windows. The northern side elevation to The Mount faces the rear elevation to no. 35. The two storey extension rear extension would extend parallel along the rear shared boundary shared with this neighbour. There would be a minimum separation distance of 1.7m and a maximum distance of 2.5m between The Mount and the boundary shared with no. 35. While it is noted the light and outlook to this neighbour from their rear windows will be impacted upon, the roof hips away from the boundary, reducing the perceived overbearing. The rear garden to no. 35 due to its orientation, would still receive a reasonable amount of sunlight, particularly in the morning. As such, the outlook and light to this neighbour is not expected to be harmed to a detrimental degree.

More of a concern is the proposal to change the obscure glazing to the existing northern dormer to clear glazing and the introduction of an additional dormer window. There is an 11m separation distance between the dormer windows and the rear facing windows to no.

35. This would result in unacceptable overlooking and loss of privacy to this neighbour. Had the proposal been acceptable in terms of design, a condition would have been applied to obscure glaze both dormer windows. It is recognised this is not an ideal situation for the front bedroom as this is the only window to this room. However, given that this bedroom currently has an obscure window which has been in place for several years, the living conditions to this room would not be worsened with this condition in place.

Impact on 33 Mortimers Lane:

This neighbour is situated to the northeast of the site and also shares a boundary with the site. This neighbour is sufficiently distanced from The Mount and is not expected to be impacted in terms of loss of outlook or light. The proposed northern dormer window would have an oblique view into this neighbour's rear garden and rear facing windows, but as described above, a condition to obscure glaze this window would alleviate privacy and overlooking concerns.

The Juliette window located to the rear elevation would mainly face the rear garden to the site, there would be an oblique view into this neighbour's garden however due to the orientation of the dwellings and the sufficient distance this window is not expected to impact this neighbour to a harmful degree.

Impact on 9 and 10 Rustan Close:

Both neighbours have raised concern the Juliette window would overlook their rear gardens and rear facing windows. There would be a 16.9m separation distance from The Mount to the boundary shared with these neighbours and more than recommended 22m separation distance between the application site and the rear elevations of these properties. As such, given the separation distances, the Juliette window is not expected to generate unacceptable loss of privacy and overlooking concerns with regards to these neighbours.

No. 9 has also raised concerns the proposed annexe would generate excessive noise. While this is noted, the annexe is proposed as ancillary to the host dwelling. It is not expected there would be an unacceptable amount of noise generated with the annexe in place.

Impact on Windy Willows:

The proposal would be sufficiently distanced from this property and would not impact upon the outlook and light to this property. The main concern would be the introduction of the additional dormer to the southern elevation. The existing dormer would accommodate bathrooms and naturally, these windows be obscured glazed. The additional dormer would serve a bedroom which would also be served by the proposed northern dormer and Juliette window. The proposed southern dormer also has the potential to overlook the garden to Windy Willows. As this room would be served by the Juliette window and considered to be the primary window, a condition to obscure glaze this dormer window would also have been applied had the application be recommended for approval.

Overall, while there are concerns with regards to the proposal with regards to neighbouring amenity, ultimately this could be mitigated against as described. To conclude while the proposal is not acceptable in terms of design, it would not impact upon the neighbouring amenity to an adverse degree.

Ecology

The Council's Ecologist was consulted due to the works proposed. Initially they requested a preliminary ecological appraisal. Upon review of the site photos, they recommended a preliminary bat roost appraisal would be appropriate for the site. This would have the proposal been recommended for approval.

Highways Safety and Parking

The proposals would result in a four bedroom property and a one bedroom annexe. This would require three off-street parking spaces as set out in the Residential Parking Standards SPD. The site plan indicates this would be accommodated by the driveway to the front of the site. As such there are no highway safety concerns.

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:

Reasons for Refusal:

- 1) The two storey front and rear extensions due to their prominent design and excessive bulk and scale would create an unattractive and incongruous feature at odds with the appearance of the street scene within Willow Grove and the character of the original chalet bungalow. The proposal is therefore contrary to

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) and the contents of the National Planning Policy Framework (2023)

- 2) The proposed annexe due to its physical size, characteristics and level of facilities would be an overdevelopment of the site. As such the proposal is contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) and the Annexes for Dependent Relatives Supplementary Planning Guidance SPD (2005)
- 3) Due to there being potential bat roosts on site, in the absence of a Preliminary Bat Roost Assessment, it is not possible to determine that the development would not have an adverse effect on protected species. The proposal is therefore contrary to Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) and the Wildlife and Countryside Act 1981 (as amended).

Recommendation:

PERMIT ☐

REFUSE ☒