

DELEGATED OFFICER REPORT

Application Ref: H/25/100111

Site Address: 56 CHALK HILL, WEST END, SOUTHAMPTON, SO18 3DB

Case Officer: Dorothy Hei-Tung-Hoh

Description: Construction of an outbuilding with flat roof in the rear garden.

Particular Site Constraints?	Yes ☒	No ☐
• Within the Urban Edge • Within Established Residential Area • Within Built-up Area Boundary • Tree Preservation Orders		

Planning History?	Yes ☒	No ☐
• H/20/87724 - Front porch - Permit - 26/05/2020 • H/21/92146 - Retention of raised patio and bi-fold doors to rear elevation - Permit - 10/02/2022		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	Five representations were received in relation to the application. Two were objections, two were in support, and one was a comment. The planning matters raised are summarised below. <u>Objections</u> • Impact on privacy: Concerns were raised that the height of the outbuilding, and its perceived raised platform, allow direct views towards neighbouring gardens, raised decking areas, and rear-facing rooms, resulting in a loss of privacy. • Elevated position: Reference was made to differing ground levels along Chalk Hill, with some neighbours reporting increased visibility of the structure due to its relative elevation. • Use of the outbuilding: Questions were raised regarding the intended use (e.g. gym, office, meeting space), with concern that certain uses could intensify activity or increase visitor numbers. • Parking and activity: Concerns were expressed about existing on-street parking pressures associated with the occupants of No. 56, with suggestions that additional use of the outbuilding could worsen the situation. • Impact on trees and wildlife: One neighbour highlighted the presence of TPO-protected trees within the woodland area and suggested that the height of the building could affect local wildlife movement, including owls. <u>Comment</u> • One neighbouring property advised that the outbuilding does not affect their sunlight or outlook and has no impact on their amenity.		

	<u>Support</u> Two neighbours expressed support for the proposal, noting that the structure does not obstruct views, cause overshadowing, or harm their amenity, and is well screened by existing mature trees.
Parish Council:	No comments received.
Tree Consultant:	The Tree Consultant reviewed the available information and site photographs and concluded that, although full construction evidence is not available, the outbuilding was most likely constructed using small pad foundations rather than a continuous trench or slab. On this basis, it is accepted that significant excavation is unlikely to have occurred and that the development has not resulted in harm to protected trees or a breach of the TPO.
Ecologist:	The proposal is not likely to have affected these species or their habitats. Ecology has no objection to this retrospective application. Biodiversity enhancements will be required in accord with Local Plan policy DM 11 and NPPF (December 2024) paragraphs 187d and 192 b. Planting flowers for pollinators may be appropriate in this garden. A range of flowering plants should be selected to provide a long flowering season, including plants that flower in the spring, summer and autumn. If it is not possible to add them to the garden, flowering plants in pots can be used.
Southern Water:	Southern Water has no objections to the proposed works.

Site Visit:	Yes ☒	No ☐
Details: 16 th October 2025.		

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 Hedge End, West End and Botley (HEWEB 3)

Assessment:
<u>Site context and surroundings</u> 56 Chalk Hill is a two-storey detached dwelling located on the western side of Chalk Hill. The property sits on noticeably sloping land, resulting in the dwelling having a raised rear patio that provides access down to the rear garden. The site also contains a number of mature trees, several of which are protected by Tree Preservation Orders. The surrounding area has a particularly strong character due to the steep slope, large detached properties, and deep, tree-lined plot frontages.

Proposal

The application seeks retrospective planning permission for the construction of a single-storey outbuilding within the rear garden of the property. The structure has a rectangular footprint measuring approximately 8.0m by 4.0m, with a flat roof and a maximum height of around 2.7m when measured from the highest ground level.

The outbuilding is of timber construction, finished in timber cladding and incorporating glazed folding doors on the southern and western elevations. Internally, the accommodation comprises a home office, a bedroom, and a WC/shower room.

The applicant confirms that the building is intended to provide flexible space incidental to the enjoyment of the dwellinghouse. It supports home-office use and occasional use of the spare room by family members. The applicant also states that the building is not intended to function as ancillary residential accommodation or an annexe, and no kitchen, cooking or laundry facilities are installed or proposed. All services are shared with the main dwelling, and the building would only ever be used for temporary overnight stays associated with short visits by family members. The applicant emphasises that the outbuilding remains wholly dependent on the host property.

Policy and 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.
- The site is also part of the character area of Hedge End, West End and Botley (HEWEB 3) which provides the following guidance on developments and that they should ensure that:
 - i) Maintain the predominant orientation of ridgelines in the existing development relative to the slope.
 - ii) Maintain the predominant hedge/tree plot boundaries.
 - iii) Maintain the predominant deep building setbacks in order to maintain/reinforce the existing levels of on-plot planting.

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.
- The outbuilding is positioned towards the rear of the garden, where it is screened by the host dwelling and set a considerable distance from any public vantage point. As such, the structure is not visible from Chalk Hill, results in no impact on the street scene, and sits comfortably within the established pattern of development, where garden outbuildings of varying forms are common. Therefore, the proposal preserves the character and appearance of the surrounding area.
- The building has a simple and unobtrusive design, incorporating a flat roof and timber cladding that reflects the natural character of the area. It is therefore not considered to appear unduly prominent or intrusive.

- The footprint of the outbuilding is modest relative to the size of the garden. With the exception of its height, the structure closely accords with what could otherwise be constructed under permitted development rights. The overall height slightly exceeds the 2.5m limit for outbuildings within 2.0m of a boundary, which is the main reason planning permission is required. This minor increase in height is not considered to result in any material harm to the visual amenity of the site or the wider area.

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.
- Several representations raised concerns regarding overlooking, loss of privacy and the perceived elevated position of the outbuilding.
- The outbuilding is single storey with a maximum height of approximately 2.7m. With the exception of this overall height, the footprint, scale and siting fall within what could otherwise be constructed under permitted development rights. In assessing the impact of the development, the additional height of approximately 20cm above the 2.5m permitted development threshold is not considered to result in materially greater harm to the amenity of neighbouring occupiers.
- Concerns were raised regarding the glazed doors and window on the south-facing elevation and the potential for overlooking. However, these openings face directly into the applicant's own garden and are at ground level. Any views available from within the outbuilding are comparable to those that already exist from the garden itself. Given the incidental nature of the outbuilding and its use for home-office and occasional short-term purposes, it is not expected to generate continuous occupation that would result in continuous overlooking of neighbouring properties.
- Concerns were also expressed that the structure has been constructed on a raised platform. From the site visit it was noted that the building is supported on small, localised pad foundations designed to avoid tree roots, with no significant under build or raising of ground levels. The finished floor level therefore sits close to the natural ground level of the garden.
- The applicant has confirmed that the outbuilding is intended to provide incidental space ancillary to the enjoyment of the dwellinghouse, such as a home office and occasional use by visiting family members. It is not proposed for use as a self-contained residential unit or annexe, and no laundry, kitchen or primary cooking facilities are present or proposed. To ensure the building remains incidental and does not function as independent living accommodation, a condition is recommended restricting its use. This will safeguard neighbouring amenity and address the concerns raised by neighbours.

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.
- There are records of bats, badgers and stag beetles within the surrounding area. Therefore, the Council's Ecologist was consulted. The Ecologist advised that the

proposal is not likely to have affected these species or their habitats, and raised no objection to this retrospective application.

- In accordance with Local Plan Policy DM11 and paragraphs 187d and 192b of the NPPF (December 2024), biodiversity enhancements are required. The Ecologist advised that planting flowers for pollinators would be appropriate in this garden. A range of flowering species should be selected to provide a long flowering season, including plants that bloom in spring, summer and autumn. If it is not possible to plant directly in the ground, flowering plants in pots can also be used.

Trees and landscaping

- The site contains a number of mature trees that are protected under a Tree Preservation Order (TPO). The outbuilding is positioned in close proximity to several of these trees, and as the development is retrospective, it was necessary to establish whether its construction resulted in any cutting of roots or a breach of the TPO Regulations.
- The Council's Tree Consultant initially noted that the planning statement referred to the use of miniature pad foundations, but that this alone could not be accepted as evidence. Further information was requested to demonstrate that excavation was minimal and that no significant roots had been damaged. In response, the applicant reiterated that the building was constructed using small pad foundations specifically to avoid root disturbance.
- Following a review of the site photographs, the Tree Consultant provided updated comments and confirmed that, based on the visible steel legs and their placement on small pads, it is most probable that the outbuilding was constructed using pad foundations rather than a continuous trench or slab. While this does not provide the level of evidence normally sought, the Tree Consultant accepted that the structure was likely built in a manner that avoided significant excavation and therefore did not result in a breach of the TPO.

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 proposal does not involve any alteration to the existing access at the site. The use of the outbuilding is incidental to the enjoyment of the dwellinghouse and does not create an independent residential unit. As such, it does not generate a requirement for additional parking provision.
- The site is able to accommodate approximately three cars within the existing driveway, which meets the maximum number of spaces required under the Council's adopted parking standards. The proposal therefore raises no concerns regarding parking provision.

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 ☐