

DELEGATED OFFICER REPORT

Application Ref: H/25/100019

Site Address: 25 CLIFTON GARDENS, WEST END, SOUTHAMPTON, SO18 3DA

Case Officer: Dorothy Hei-Tung-Hoh

Description: Retrospective application for the retention of an as-built outbuilding, which differs from the approved scheme under planning permission H/24/97439

Particular Site Constraints?	Yes ☒	No ☐
• Within the urban edge • Within Established Residential Area • Within Built-up Area Boundary		

Planning History?	Yes ☒	No ☐
• Z/13803/001/00 - Ground floor rear extension - Permit - 17/05/1982 • H/23/95358 - Side extension inclusive of existing conservatory area. Upgrade of existing garage. - Permit - 17/08/2023 • F/23/96096 - The construction of two additional storeys and front and rear dormers. - Refuse Planning Permission For - 06/12/2023 • F/23/96608 - Single storey front extension, single storey side extension, roof alterations involve raising the roof and adding front dormer to facilitate first-floor accommodation. - Refuse Planning Permission For – 08/03/2024 • H/24/97439 - Relocation of entrance. Single storey side and rear extension with associated fenestration. Outbuilding in the rear garden. - Permit - 29/08/2024 • H/25/99405 - Single storey side extension - Withdrawn By Applicant - 13/08/2025		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	Two representations were received in relation to the application. One representation raises an objection, referring to the previously approved application H/24/97439, and expresses concern that a permanent structure constructed of brick is less appropriate within a garden setting when compared to a timber shed. The representation also refers to scaffolding being erected on the neighbour's driveway at an earlier date. The second representation was submitted as an enquiry, stating that the respondent did not fully understand the nature of the proposal.		
Parish Council:	None received.		

Site Visit:	Yes ☒	No ☐
Details: 17 th September 2025.		

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

Assessment:

Site context and surroundings

25 Clifton Gardens is a detached bungalow situated within a cul-de-sac. In recent years, the property has been enlarged through the addition of single-storey extensions to the rear and side.

The surrounding area is residential in character, comprising predominantly detached and semi-detached dwellings of mixed styles, including both bungalows and two-storey properties. Clifton Gardens slopes gently from south to north.

Relevant Planning History and Background

Planning permission was previously granted under application reference H/24/97439 for the erection of an outbuilding within the rear garden. The approved outbuilding was shown to measure approximately 4.0 metres by 5.2 metres, with a height from eaves to floor of approximately 2.4 metres, and with the roof form contained within the approved footprint.

It was subsequently identified that the outbuilding had not been constructed fully in accordance with the approved plans. In particular, the as-built structure differs from the approved scheme in terms of its footprint, roof detailing, siting within the garden, and the positioning of windows and doors. The outbuilding as constructed measures approximately 4.5 metres by 5.2 metres, with a height from eaves to floor of approximately 2.3 metres. The roof construction is also thicker and projects beyond the walls to a greater extent than approved, and the building is positioned marginally further away from the host dwelling.

An application for a non-material amendment was subsequently submitted to regularise these changes. However, it was concluded that the differences between the approved and as-built schemes were material in nature and too significant to be treated as a non-material amendment. As a result, the applicant was advised to submit a formal planning application to regularise the development, leading to the submission of the current retrospective application.

Proposal

The application seeks retrospective planning permission for the retention of an as-built outbuilding within the rear garden of 25 Clifton Gardens, which differs from the previously approved scheme under planning permission H/24/97439.

The proposal does not introduce a new structure, but instead seeks to regularise the outbuilding as constructed, having regard to the differences in footprint, roof detailing, siting, and the positioning of windows and doors when compared with the approved plans. The outbuilding remains single storey in form and is located within the residential curtilage of the host dwelling.

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.

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 located within the rear garden of the property and is not readily visible from the public highway. Its visual impact on the street scene is therefore minimal.
- While the development differs from the previously approved scheme in terms of its footprint, roof detailing, siting, and the positioning of windows and doors, these changes do not materially alter the overall appearance or character of the development. The increase in footprint and overall height is limited, and the repositioning of windows and doors does not result in a visually intrusive form of development. The outbuilding remains does not appear incongruous within its surroundings.
- Overall, the as-built outbuilding remains broadly similar in form, scale and appearance to the previously approved scheme. In this context, the differences between the approved and as-built development are not considered sufficient to justify a refusal of planning permission.

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.
- While the as-built development includes changes to the positioning of windows and doors when compared with the approved scheme, these alterations do not result in an unacceptable loss of privacy to neighbouring properties. The orientation and positioning of openings do not give rise to direct overlooking of neighbouring habitable room windows or private garden areas beyond what would typically be expected within a residential garden environment.
- The outbuilding is located in proximity to the shared boundary with No. 24. However, it is noted from the site history and historic photographs that the shared boundary previously accommodated a detached brick-built garage, carport, and an outbuilding. In this context, the presence of a single-storey outbuilding along this boundary is not uncharacteristic and is not considered to result in an unacceptable overbearing impact or loss of outlook for the occupiers of No. 24.
- Notwithstanding the above, given the overall size of the outbuilding, it is considered appropriate to impose a condition restricting its use to purposes incidental to the enjoyment of the host dwelling. This would ensure that the outbuilding does not give rise to intensified use that could result in future harm to the residential amenity of neighbouring occupiers.

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 differences between the approved outbuilding under planning permission H/24/97439 and the as-built development relate to its footprint, roof detailing, siting, and the positioning of windows and doors. These changes do not result in any additional demand for parking, nor do they lead to the loss of existing on-site parking spaces when compared with the approved scheme. As such, the as-built development is not considered to give rise to any parking or 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; (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. 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:

Permit subject to conditions.

Recommendation:	PERMIT ☒	REFUSE ☐