

(BHH, Bursledon, Hamble and Hound Local Area Committee, 16th March 2023)

Application Number: H/22/93164
Case Officer: Alexandra Stone
Received Date: 31/05/2022
Site Address: 4 Station Road, Netley Abbey, SO31 5DT
Applicant: Sorrel Keel
Proposal: Erection of a porch, replacement of existing uPVC double glazed windows with wooden sash windows, replacement of existing rainwater goods with moulded metal guttering to front elevation and installation of a dormer window to rear, insertion of a new window to first floor rear elevation and roof-lights to existing mono-pitch roof on ground floor rear extension.

Recommendation: Permit

CONDITIONS AND REASONS:

1. The development hereby permitted shall be implemented in accordance with the following plans numbered: 001 Rev a, 002, 003, 010-Rev. A, 011-Rev.A, 014 and 015.

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall start no later than three years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour and texture those listed on the application form and email received 02/02/2023 from the agent.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

4. The first floor window on the north/ east elevation [as marked on the approved plan] shall either be:

Obscure glazed to Pilkingtons level 3 or equivalent with no more than a top opening toplight

Once installed the window shall be permanently maintained in that condition

Reason: To protect the amenity and privacy of the adjoining residential properties.

Notes to the applicant:

- 1 In the unlikely event of any bats being found during demolition or construction, all work must stop immediately, and Natural England must be informed. Additional information is available on the Bat Conservation Trust website at <https://www.bats.org.uk/advice/im-working-on-a-building-with-bats/ive-found-a-bat-during-works>.
- 2 The biodiversity enhancements recommended in the report are sound and should be implemented. This includes installation of a bat box/brick, planting flowering plants for pollinators (especially night scented plants to attract moths) to improve bat foraging habitat, and installation of a bird box. If the property is suitable, a swift nest box/brick would be preferred as other birds including sparrows can also use them.
- 3 Additional information is available at:
<https://sussexwildlifetrust.org.uk/discover/in-your-garden/article/31>,
planting for bats
<https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/plants-for-pollinators>
<https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes>
<https://www.hampshireswifts.co.uk/nesting>
<https://www.rspb.org.uk/birds-and-wildlife/advice/how-you-can-help-birds/nestboxes/nestboxes-for-small-birds/>
<https://www.swift-conservation.org/OurLeaflets.htm>
- 4 In accordance with paragraph 38 of the National Planning Policy Framework (July 2021), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner

Report:

- 1 This application has been referred to Committee by Councillors Craig, Jarvis and Manning (Bursledon, Hamble and Hound Local Area Committee members), in agreement with the Executive Head of Planning and Economy.
- 2 Amended plans were received on 25th Jan 2023 revising the design of the proposed dormer window to incorporate a pitched roof, clad in natural slate.

Site Characteristics and Character of the Locality

- 3 The property is a three-bedroom terraced house. The dwelling has a single storey extension to the rear.
- 4 The property is attached to a block of flats to the North/ West elevation and the row of terrace houses to the South/ East, all built from similar materials. There is a variety in the style of the front porches, some with a small pitch roof, or a small gable, or a larger porch with a pitch roof.
- 5 On the neighbouring flats in Station Road there is a small dormer window to the road side. There is also a dormer window to an adjacent property (70 Victoria Road). To the rear of the Coastal Cottages there is a large dormer window to the neighbouring property (6 Station Road) which can be clearly seen in Station Road as it sits upon a two-storey extension.
- 6 The site is located in the Netley Abbey Conservation Area.

Description of Application

- 7 This application relates to the erection of a dormer window with pitch roof to the rear of the dwelling. In addition, it is for the replacement of the front porch; replacement of existing UPVC windows with wooden sash windows; replacement of rainwater goods with moulded metal guttering and provision of an additional window to the rear first floor elevation and roof lights to the existing rear extension.

Relevant Planning History

- 8 None

Representations Received

- 9 6 Station Road (Summarised):

Object to the dormer window, detract from historical importance, not sympathetic to the character of the area. The dormer is hideous; will cause loss of light and is overbearing. Installation of the first-floor window and dormer will remove any privacy of the garden. Erection of porch would change the character of the area. Concerned appropriate care will not be taken in joining the two properties guttering. Concerns the plans are not structurally viable. Applicant did not serve a Party Wall Notice.

Consultation Responses

- 10 Parish: Objection received

- 11 Ecologist: I have reviewed the Preliminary Bat Roost Assessment Report by Arbtech (October 2022). The building has been assessed as having negligible bat roost potential but there are records of bats nearby, so please could you add the following informative to the decision notice:

In the unlikely event of any bats being found during demolition or construction, all work must stop immediately, and Natural England must be informed. Additional information is available on the Bat Conservation Trust website at <https://www.bats.org.uk/advice/im-working-on-a-building-with-bats/ive-found-a-bat-during-works>.

The biodiversity enhancements recommended in the report are sound and should be implemented. This includes installation of a bat box/brick, planting flowering plants for pollinators (especially night scented plants to attract moths) to improve bat foraging habitat, and installation of a bird box. If the property is suitable, a swift nest box/brick would be preferred as other birds including sparrows can also use them.

Additional information is available at:

<https://sussexwildlifetrust.org.uk/discover/in-your-garden/article/31>,
planting for bats

<https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/plants-for-pollinators>

<https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes>

<https://www.hampshireswifts.co.uk/nesting>

<https://www.rspb.org.uk/birds-and-wildlife/advice/how-you-can-help-birds/nestboxes/nestboxes-for-small-birds/>

<https://www.swift-conservation.org/OurLeaflets.htm>

- 12 Conservation Officer:

No Objection on the basis the proposed materials are to match the existing roof.

- 13 Southern Water:

Southern Water records show an existing foul sewer within the development site, the exact position of which should be determined by the applicant. No new development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent; no soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable gravity sewers; and all existing infrastructure should be protected during the course of construction works.

- 14 It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Policy Context and Designations Applicable to Site

Within Built-up Area Boundary
Within Established Residential Area
Within Designated Conservation Area

Eastleigh Borough Local Plan 2016-2036

Development Management policies:

The most relevant policies are:

a. Strategic policies:

S1 (Delivering sustainable development);
S2 (Approach to new development);
S8 (Historic Environment)

b. Development Management policies:

DM1 (General criteria for new development);
DM11 (Nature Conservation);
DM12 (Heritage Assets)
DM14 (Parking);

Supplementary Planning Documents

Quality Places (November 2011);
Residential Parking Standards (January 2009);
Netley Abbey Conservation Area Appraisal and Management Proposals (January 2010)

National Planning Policy Framework

- 15 At national level, the National Planning Policy Framework (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The National Planning Policy Framework (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and sets out a general presumption in favour of sustainable development unless material considerations indicate otherwise.

Planning Practice Guidance

- 16 Where material, the Planning Practice Guidance which supports the provisions and policies of the NPPF should be afforded weight in the consideration and determination of planning applications.

Assessment of Proposal: Development Plan and / or Legislative Background

- 17 Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a Local Planning Authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Adopted Policies of the Eastleigh Borough Local Plan (2016-2036) and the Hampshire Minerals and Waste Plan 2013 (which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

- 18 As the site lies within a Conservation Area. Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 is relevant, and it states:

“In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

Principle

- 19 The application is for the addition of a pitch roof dormer window to the rear of the dwelling, a new porch, and alterations to the fenestration and rainwater goods.
- 20 The development is located within the existing urban area and the Netley Abbey Conservation Area.
- 21 As set out in policy DM1, development should not have an unacceptable impact on, and where possible should enhance residential amenities of both new and existing residents, the character and appearance of urban areas, the countryside, and the coast; biodiversity; and the significance of heritage assets
- 22 As set in policy DM12, development of a heritage asset or within its setting will be permitted provided that it does not harm or detract from the significant or special interest of the asset, and sustains and

enhances its special character and qualities.

Design and layout

- 23 The proposed dormer window is located on the rear roof slope of the existing dwelling. Whilst visible from some public areas in the vicinity of the site the dormer window will be viewed in the context of the rear elevations of the existing group of terraces and flats where there are existing roof interventions, including a dormer window immediately adjacent set at a lower level. The addition of a pitch roof and use of natural slates to clad the structure will assist in assimilating the alterations with the immediate and surrounding built form.
- 24 The upper most pitch of the dormer window would be seen in glimpses from the front elevation as show on the proposed plans. This would be a very minor amount and with the use of a natural slate to match the existing roof material, it is considered that the addition would not be harmful to the character of the area as it would blend with the existing roofscape
- 25 The development would not be an overdevelopment of the site, would not effect existing amenity space and meets parking standards. The dwelling is to remain as a 3No. bedroom dwelling therefore no additional parking is required.
- 26 In terms of the other changes the proposed porch is being widened by approx. 300mm which is considered a modest change in keeping with the design and appearance of the existing dwelling.
- 27 The metal guttering would replace the existing UPVC guttering and is an improvement.
- 28 The existing UPVC windows are to be replaced with wooden Sash windows which is also considered an improvement to the appearance of the property.
- 29 In this context the proposed extensions and alterations are considered acceptable in terms of its form, scale and appearance and complies with policy DM1 of the Local Plan and Quality Places SPD

Impact on the Conservation Area

- 30 Paragraph 4.11 of the Netley Abbey Conservation Area Appraisal and Management Proposals SPD states that new development should use materials which are traditional to the conservation area and be of high quality (the use of uPVC, aluminium, concrete tiles or other non traditional materials is not considered appropriate).
- 31 Generally, the proposed works will improve the appearance of the property, replacing artificial UPVC guttering and windows with more

traditional, natural materials. The porch extension is considered minor and in keeping with the character of the property and surrounding areas.

- 32 The proposed dormer is the greatest alteration proposed but taking into account the surrounding context, limited public views of the dormer and the use of natural slate to clad and roof the dormer the addition is considered acceptable and to have a neutral impact on the conservation area, thereby preserving its character and appearance.
- 33 Overall, the development is considered to preserve and enhance the character and appearance of the conservation area and accords with policy DM12 of the Local Plan and Netley Abbey Conservation Area Appraisal and Management Proposals SPD

Residential amenity

- 34 The addition of window at first floor level would serve a bathroom and this is to be glazed with obscured glass (condition 4), thereby reducing any overlooking potential to the neighbouring properties. The proposed roof lights on the single storey rear extension are above average head height so would not cause undue overlooking of neighbouring properties.
- 35 The proposed dormer window and window to first floor would face the side elevation and rear garden of 16a Station Road, which has an obscure glazed first floor side window. However, there is already a first-floor window in the rear elevation of 4 Station Road and with a separation distance of approximately 13m between the rear elevation of 4 Station Road and the side elevation of 16a Station Road it is considered that it would not result in undue overlooking and loss of privacy.
- 36 In addition, while the first-floor window and dormer window would also face the bottom of the rear garden of 6 Station Road there is already an element of mutual overlooking of the rear gardens from the first-floor windows as would be expected in a terraced row of properties and it is not considered that the proposed works would result in unacceptable overlooking or loss of privacy. The dormer window also complies with the daylight check to the property of 6 Station Road and would not obscure the light to the property's roof light.
- 37 Based upon the above assessment the development accords with policy DM1 and the guidance set out in the 'Quality Places' SPD in that there will not be an unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.

Access and Parking Matters

- 38 The application does not vary the number of bedrooms, therefore there is no requirement to alter the existing parking provision for the property.

Ecology

- 39 A Bat Survey has been carried out and the findings indicate the building has negligible bat roost potential. Accordingly, there is no objection to the development in ecology terms. An informative is recommended highlighting the need to be aware of bat roosting potential during construction works and for the implementation of biodiversity enhancements.

Sustainability Measures and Climate Change:

- 40 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.
- 41 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.

Other material considerations

- 42 There will be no adverse impact upon trees or other natural features worthy of retention.
- 43 There are no likely significant impacts on the SPA.

- 44 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:

- i. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- ii. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- iii. 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

45 The proposed extensions and alterations are considered acceptable in terms of their form, scale and appearance and preserve/enhance the character and appearance of the Conservation Area. Furthermore, the proposals are not considered to adversely affect residential amenity. The development therefore complies with policies DM1 and DM12 of the Local Plan, Quality Place SPD and the Netley Abbey Conservation Area Appraisal and Management Proposals SPD

