HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. C/12/71835

DESCRIPTION	Extension to existing balcony
ADDRESS	5 Oyster Quay High Street Hamble-Le-Rice Southampton SO31 4BQ

SITE VISIT DATE	11/1/13
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	As above. The proposed balcony extension will curve around the building connecting the properties two rear terraces. The proposal will be enclosed by 1m high timber railings with supporting struts extending down to ground level
SITE CHARACTERISTICS	The dwelling is split over three floors and is located at the end of a terraced block. The property has two rear terraces, one for the breakfast area and a second for the living area. There is also a small rear terrace on the floor above.
CHARACTER OF LOCALITY	Predominantly residential with some commercial properties in close proximity. The balconies look over a public car park onto the river Hamble.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
C/38729/003	Residential redevelopment for 14 dwellings, comprising the part demolition of and alterations to the listed bugle public house (retention of ground and lower floor in commercial a3 use), demolition of restaurant extensions and outbuildings and provision of access, parking and landscaping	Permit 2004

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
1 letter of objection (no.6)	• The extended balcony will reduce the amount of light reaching the northern ground floor window of no.6. The maximum light is needed for the kitchen dinning room as this is a fairly dark room already. • The extended balcony will overlook the neighbours dining room (on ground floor) and siting room (directly adjacent to balcony) • Plans are incorrect as they do not show the current balcony of no.6. If this was shown it would be obvious that proposal would result in significant overlooking.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Hamble Parish Council	The Council resolved to leave the decision to the Officers.

CONSULTATION RESPONSES

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Planning Policy & Design	1. There is an existing language to the balustrades of this development depending largely on the material in which they are set. i.e. a. Where there is the stone lower ground floor the balustrade has a strong horizontal emphasis (nos.1-4, part 5 and 6-7.) b. The major element of no.5 has glass set into the stone and at first floor level on brick. c. Timber balustrade to no 8 where the masonry is painted brick. This proposal is for timber over stone - mixing the metaphors! This will interrupt the 'sitting' view from no 5's drawing room. 2. Fixing oak to the stone will result in tannin staining of the stone as it is washed off the oak by the rain. This will result in a very unsightly mess, not intended by anyone. What precautions are envisaged to prevent this? 3. I do not believe the sciagraphy (projection of shadows) is correct and this balcony will result in very under lit rooms at the lower ground floor level. There is no indication of the function of these rooms to estimate the relevance of this effect. 4. The area of balcony shown on the plan looks as if there might be a large reduction in the privacy of no 6. In fact there is only about a further 300mm penetration along the southern wall. 5. While the proposal is contrary to the existing language it is a new condition not covered by the existing vocabulary specifically. The horizontal emphasis might look more avant guarde but would appear over a void, contrary to the existing.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built up area boundary Within Designated Conservation Area - Hamble Within Flood Zones 2 & 3

DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011): 59.BE & 169.LB
Pre submission Eastleigh Borough Local Plan 2011-2029: DM1 & DM10
Supplementary Planning Guidance: Quality Places

CHARACTER APPRAISAL AREA

None

SPECIAL POLICY AREA

None

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed with particular regard to residential amenity, street scene and character of the Conservation Area.

COMMENT ON CONSULTATION RESPONSES

None received		See below	X	

It is noted that the balcony extension is likely to reduce light to the applicant's lower ground floor window. However, this is the applicant's choice and is not a reason to refuse the development. The remaining comments will be considered in the assessment section.

COMMENT ON REPRESENTATIONS RECEIVED

	None received		See below	X	

- The rear balcony at no.6 has been examined during the site visit and is accurately shown on the floor plans submitted as part of buildings planning permission (Z/38729/003). These details will be used to assess the impact of the proposal on the neighbour property.
- The remaining comments are noted and will be discussed in the assessment section.

PLANNING OBLIGATION/CONSIDERATIONS

Not applicable

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The site also lies within a Conservation Area and Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In the exercise, with respect to any buildings or other land in the 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".)

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

MATERIAL CONSIDERATIONS

Saved Policy 169.LB Planning applications for new buildings, and alterations and extensions to existing buildings, within Conservation Areas, will be permitted, provided all the following criteria are met:

(i) the proposal preserves or enhances the character or appearance of the Conservation Area or its setting;
(ii) any new building or extension does not detract from the character of the area and where appropriate retains the existing street building line and the rhythm of the street-scene;
(iii) the mass, materials and form of the building and associated landscape features are in scale and harmony with the existing and adjoining buildings and the area as a whole and the proportions of its parts relate well to each other, to the existing building and to adjoining buildings;
(iv) architectural details on buildings of value are retained;
(v) with regard to retail premises, a high standard of shop front design and signing, relating sympathetically to the character of the building and the surrounding area, is required;
(vi) the materials to be used are appropriate to and in sympathy with the existing buildings and the particular character of the area; and
(vii) they do not generate excessive traffic, car parking, noise or cause detriment to the character of the local environment.

Saved Policy 59.BE of the Local Plan requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, and loss of outlook, noise and fumes.

ASSESSMENT

Character and Appearance

The design and pallet of materials provide a rhythm to the existing building that makes it attractive. Each balcony faces straight onto the river and although they project at slightly different angles they are all of a similar size. The balconies are enclosed by railings and the choice of stone beneath gives the building a strong horizontal emphasis. It is noted that no.8 balcony is of timber construction, but this fits in with the language of the building being timber over brick render rather than stone.

The proposal is considered to be at odds with the design of the existing building. The balcony would extend right around the South-eastern corner of the property and project diagonally towards the rear wall. This is in contrast to the smaller regular balconies present on the rear of the building. The proposal will also introduce timber balustrades to an area of the building that has stone on the lower ground floor. The overall result is considered to be an awkward addition to the property. The proposal therefore directly conflicts with saved Policy 169.LB (iii) in that its mass, materials and form are not in harmony with the existing building and the proportions of its parts fail to relate well to each other.

The extended balcony will be positioned on a prominent building within Hamble Conservation Area, where its rear elevation is clearly viewed from the public waterfront. As such the proposal not only detracts from the appearance of the building, but also fails to preserve or enhance the character or

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

appearance of the Conservation Area. The proposal is therefore contrary to saved Policy 169.LB (i).

Residential Amenity

There is already a high level of overlooking from the rear (kitchen) balcony into the balcony at no.6. The balconies are enclosed by low walls/ railings and so when both sets of residents are using their balcony's they will be within 2m and of each other. The existing balcony already provides sufficient space to sit outside and could be in use for extended periods of time. It is acknowledge that the balcony extension will increase the amount of outdoor living space, although I believe its main function is to provide a walkway between the two areas. Due to the existing relationship between the two properties it would be very difficult to argue that the proposal would materially increase the level of overlooking into the adjoining property.

The proposal is located to the north of no.6 and is angled in from the boundary, as such it is not considered to detrimentally affect the light received by the adjoining dwelling or its outlook.

The development breaches the requirements of Saved Policies 59.BE & 169.LB.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the pre-submission Eastleigh Borough Local Plan 2011-2029. While not yet adopted it does carry some weight by virtue of being intended as the current local plan's replacement and is in accordance with the National Planning Policy Framework. With regards to this particular application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSION

Recommend Refuse