CONDITIONS AND REASONS:

(1) The development hereby permitted shall be implemented in accordance with the following plans numbered: EX01, EX02, EX03, EX04, EX05, EX06, EX07, LP01, LP02 Rev.A, NPR02 Rev.A, NPR03 Rev.A, NPR04 Rev.A, NPR05 Rev.A, NPR06 Rev.A, NPR07 Rev.A, NPR08, NPR09, NPR10, NPR11, NPR12 Rev.A, NPR13, NPR14 & NPR15. 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) No development shall start until the following details have been submitted to and approved in writing by the Local Planning Authority:
a) details of the proposed parapet wall coping and glazing;
b) details of rainwater goods and downpipes;
c) details of glazing to be used including window frame colour;
d) details of proposed boundary treatments including the alignment, height and materials of all walls, fences and other means of enclosure; and
f) the provision to be made for external lighting.
The development shall not be occupied until the approved details have been fully implemented unless agreed in writing by the Local Planning Authority. Reason: To limit the impact the development has on the locality.

(4) No construction or demolition work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
a) measures to control the emission of dust and dirt generated by demolition and construction works, including measures to prevent mud on the highway;
b) a scheme for controlling noise and vibration from demolition and construction activities [including details of any piling];
c) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway [including vehicle crossovers and grass verges].
Reason: To limit the impact the development has on the amenity of the locality.

(5) The exterior walls of the development hereby permitted shall be in a white rendered finish and of a texture to match that used on the existing building. Reason: To ensure a satisfactory visual relationship between the new development and the existing.

(6) The development hereby approved shall not be occupied until the roof terrace privacy screen as shown on approved drawing 'NPR04 Rev.A' has been installed. Once installed the screen shall be permanently retained and no part of the roof, other than the area shown as roof terrace on the approved drawing shall at any time be used as a terrace or for any recreational purposes. Reason: To protect the amenity and privacy of the adjoining residential property.

(7) The garage hereby approved shall only be used in connection with the residential use of the property and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes. Reason: To protect the amenities of the adjoining residential properties.

(8) No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process. Reason: To protect the amenities of the occupiers of nearby properties.

(9) No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings.

Note to Applicant: It is considered that, subject to compliance with the conditions and any obligations attached to this permission, the proposed development is acceptable because it will not materially harm the character of the area, the amenity of neighbours or highway safety and it is in accordance with the policies and proposals of the development plan, comprising the Eastleigh Borough Local Plan Review 2001-2011, and after due regard to all other relevant material considerations including the National Planning Policy Framework and the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014 the Submitted Local Plan comprising: the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and the Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014', the local planning authority is of the opinion that permission should be granted.

The following development plan saved policies and emerging draft local plan policies are relevant to this decision and the conditions attached to it:

Eastleigh Borough Local Plan Review [2001-2011], saved Policies 59.BE, 169.LB & 184.LB

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, the Submitted Local Plan, Policies DM1, DM10 & DM24

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, 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.

Under the Town and Country Planning England Regulations 2012, a fee is required for Discharge of Condition Applications. N.B. Conditions not fully discharged, invalidate the planning permission.

Report:

This application has been referred to Committee because an earlier application on this site was determined by the Local Area Committee.

Description of Application

1. The application seeks approval for the addition of single storey front, side and rear extensions, the addition of first floor living accommodation including a roof terrace with new parapet walls, visibility screening and construction of a detached single garage to the rear of the site.

2. This is an amended scheme following refusal of a previous application by the Local Area Committee in March this year. The main differences are a reduced first floor which has also been moved further to the front of the site by providing front extensions to the dwelling, together with the previously proposed side and rear additions.

Site Area & Residential Density

3. The site is approximately 760 square metres in area which equates to a density of approximately 13 dwellings per hectare and is about average in size for the Crowsport Estate.

Topography

4. Crowsport is built on land which slopes down from Satchell Lane to the Hamble River giving most properties some view of the river over their neighbour's roof. Although much of this view is now blocked by industrial sheds on the marina site.

5. The application site, No.14, sits approximately 2.0 metres lower than its neighbour at No.14a and approximately 1.5 metres higher than its neighbour at No.17.

Trees & Boundary Treatment

6. There are no trees of any significant size on or around the site, other than a pair of conifers which form part of the boundary with No.14a

near the access road, the remainder of the site boundaries are formed by mature hedges of around 3.0 – 4.0 metres in height, other than the front boundary which has some low level shrubbery.

Site Characteristics & Character of Locality

7. The application property is one of 25 original bungalows which were constructed in the mid-1930s in the simple Bauhaus style of white rendered walls and flat roofs behind a parapet by the architect Robert Cromie, who was better known for designing Art Deco cinemas. As with many of the properties in Crowsport the bungalow has been altered over the years, having been extended to the front and rear, as well as having had its parapets removed and a less authentic overhanging felt roof added.

8. While much of the simplicity of the original 1930s design has been lost throughout the estate, through inappropriate additions, alterations, and front boundary treatments, this is starting to be rectified in places where properties have been refurbished in recent years. This is most prevalent at the eastern end of the estate closest to the river where the majority of the original dwellings have been extended and refurbished. Some have been undertaken more successfully and respectfully to the original 1930s style than others but gradually the essence of the estate's original character is being reclaimed, albeit in a slightly more contemporary modernist style.

9. Many, if not the vast majority of these properties have been enlarged through the addition of a first floor, which tends to be used as the main living accommodation in order to take advantage of views of the river. Many also include balconies or roof terraces to provide additional outdoor space, given that the gardens of some can be quite small and enclosed.

Relevant Planning History

10. Other than the refusal of the previous scheme earlier this year (F/14/75741) due to concerns with regards to visual impact upon the neighbouring property, No.14a, planning approval for the construction of an attached garage and conversion of the existing was granted in 1978, with permission for front extensions being granted in 1986 and 1992. More recently an application for extensions to the side and rear, and the addition of a sizable first floor were withdrawn in 2008 without being decided.

Representations Received

11. Two representations have been received, one in support and one objecting. The issues and concerns raised were as follows:

- Overlooking and loss of privacy to neighbouring properties from roof terrace
- Visually intrusive
- Scale of that proposed
- Loss of outlook

Consultation Responses

12. **Head of Regeneration & Planning Policy (Conservation Officer)** – "This proposal has the most interesting facades on the North and East elevations with multi - level and multi - layered compositions giving shadow and depth to the elevations. The west (front) elevation has simpler but deeper modelling and the south elevation a reasonable amount but generally obscured by the proximity of the boundary hedging. The first floor façade here does present a bland wall to the neighbour whose view is being interrupted and as previously pointed out a window in this wall with etched glass to preserve privacy would both allow sunlight to enliven the space and present a more humane face to the view being interrupted. The refined aesthetic of this style of architecture, by its very nature, is not to everyone's taste it must be remembered.

13. Concern has been expressed that an alteration could be made to allow use of the roof outside the protected area without permission but this could be guarded against by conditions or a covenant one would have thought."

14. **Head of Transportation & Engineering** – No objection.

15. "There is adequate space on the frontal drive to accommodate vehicle parking requirements. Additionally, there is a garage to the rear that can accommodate further vehicle parking as well as double-up for cycle storage.

16. The garage is also set into site an adequate distance into site so as not to interfere with other dwelling users."

17. **Hamble-le-Rice Parish Council** – "It was resolved to leave the decision to the Officer with a reminder that this property is in the Hamble Conservation Area."

Policy Context: Designation Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area
- Within Designated Conservation Area
- Within Crowsport Special Policy Area

Development Plan Saved Policies and Emerging Local Plan Policies

- Eastleigh Borough Local Plan Review 2001-2011 saved Policies: 59.BE, 104.T, 169.LB & 184.LB

- Submitted Eastleigh Borough Local Plan 2011-2029, July 2014 Policies: DM1, DM10 & DM24

18. The Submitted Local Plan comprises: the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and the Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014.

Supplementary Planning Documents

- Supplementary Planning Document: Quality Places (November 2011)
- Supplementary Planning Document: Hamble Conservation Area Appraisal (August 2008)
- Supplementary Planning Document: Residential Parking Standards (January 2009)

National Planning Policy Framework

19. The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be “out-of-date”. The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

20. Paragraph 56 of the NPPF states that “The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”

21. It goes on to say in paragraph 64 that “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

22. It also states in paragraph 137 that, “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.”

National Planning Practice Guidance

23. Where material, this guidance should be afforded weight in the consideration of planning applications.

Policy Commentary

24. The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the principle of that proposed, its layout and design, impact upon the residential amenity of neighbouring properties, parking and impact upon the street scene and character of the Hamble Conservation Area.

Assessment of Proposal: Development Plan and / or Legislative Background

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

26. *"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."*

27. The site also lies within a Conservation Area and Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:
28. *“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”.*

29. In this case policy issues for consideration include:

Principle

30. The application site lies within the urban edge where the basic principle of development is considered to be acceptable, with any formal planning approval being based upon the exact nature, design and impact of that proposed being considered appropriate and in accordance with the relevant Local Plan policies and Supplementary Planning Documents. The most relevant policy in this case is saved Policy 59.BE of the Local Plan which 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, a satisfactory means of access and layout for vehicles, cyclists and pedestrians, to make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes.

31. Given that the application site is within the Hamble Conservation Area, saved Policy 169.LB of the Local Plan will also need to be taken into consideration. This requires any development within a designated conservation area to preserve or enhance the character or appearance of the conservation area or its setting, to not detract from the character of the area or street, be appropriate in terms of its mass, scale, design and materials, and to be sympathetic to existing buildings and the particular character of the area. These requirements are reiterated in Policy DM10 of the Submitted Local Plan.

32. Saved Policy 184.LB relates specifically to the Crowsport Estate and states that "development, including extensions, will not be permitted unless the size, scale and architectural style, materials proposed and detailing closely reflect that of the existing development."

33. Also of relevance is the 'Hamble Conservation Area Appraisal' Supplementary Planning Document, which provides specific guidance with regards to development within the Crowsport Estate. It states that:

34. "In order to preserve its unique style; developments including extensions will not be permitted unless the design reflects the scale, form and character of the estate and has:

- roof forms that are flat with parapets
- walls that are of white render
- windows that are of a simple rectangular form without glazing bars
- first floor extensions that do not exceed 50% of the area of the ground floor."

35. In principle therefore, extensions to the present dwelling are acceptable provided that proposed adheres to the above requirements and those of saved Policies 59.BE, 169.LB and 184.LB of the adopted Local Plan.

Layout & Design

36. The proposals include modest extensions to the side and rear together with significant internal remodelling which would provide five double bedrooms, three with an en-suite bathroom, together with a kitchen/dining area and utility room off a central entrance foyer. The proposed new first floor would provide the general living accommodation and lounge, with access to a roof terrace to the north. This is a similar layout to that refused in March but with a smaller first

floor addition. This has been undertaken to try and limit the scheme's impact on the outlook from No.14a Crowsport.

37. The original suggestions from the Council's Conservation to improve the resulting dwelling's appearance, such as reinstating the parapets to the roof edge, have again been taken on board and included with the submitted scheme.

38. This latest design is again therefore considered to meet the first three requirements of the 'Hamble Conservation Area Appraisal' Supplementary Planning Document. The fourth requirement is that any first floor should not exceed 50% of the ground floor area. The proposed first floor equates to 37% of the existing dwelling's floor area and 28% of the resulting dwelling's ground floor area, meaning that the proposal also meets this requirement.

39. In terms of this revised scheme's layout and design, it is considered to meet the requirements of saved Policies 59.BE, 169.LB and 184.LB of the adopted Local Plan and Policies DM1 and DM10 of the Submitted Local Plan, as well as the Council's 'Quality Places' and 'Hamble Conservation Area Appraisal' Supplementary Planning Documents.

Residential Amenity

40. The main residential amenity concerns raised by the immediate neighbour relates to visual intrusion and loss of outlook, as well as overlooking and loss of privacy. While there are no objections to the proposed ground floor extensions, as these will have limited visual impact and the current boundary planting will maintain privacy, the proposed first floor and roof terrace in particular have raised concern.

41. The proposed roof terrace faces north to make the most of views available towards the river. It includes a raised screen along its southern edge to maintain privacy for and from No.14a. This together with the existing good boundary screening would mean there would be no adverse or unacceptable overlooking or loss of privacy to any neighbouring property. Part of east and south facing roof could be used as a terrace, which would result in loss of privacy for No.14a, as direct views into the main living area would be available. However, it is proposed that the only access to this part of the roof will be for maintenance purposes and a barrier/balustrade will prevent access from the roof terrace. As part of any planning approval a condition could be imposed which clearly sets this out, thereby ensuring that privacy for No.14a is maintained.

42. The other main issue raised is the proposed first floor's impact upon the outlook from No.14a, which has a large glazed bay window to its main living area providing views over the roof of No.14 and other neighbouring properties eastwards across to the river. While there is no right in planning law to protection of a private view, a development's

impact upon the outlook from main habitable room windows of neighbouring properties should be taken into consideration. The previously refused scheme would have resulted in a 10.5 metre long blank flank wall 10.7 metres away from this bay window. While views would still be available to either side and over the top of the proposed first floor, it would nonetheless still be a quite dominating feature.

43. This revised scheme reduces the length of this flank wall to 8.1 metres but also slides the first floor across to the west by a further 2.0 metres. While the first floor will still be relatively prominent when viewed from 14a, the tall conifers on the boundary will provide some screening/softening and attractive views north-east towards the river will be retained. It would therefore be difficult to argue that the visual impact of the proposed first floor would be so detrimental to the outlook from No.14a as to warrant a justifiable reason for refusal.

44. With regards to this revised scheme's impact upon the residential amenity of neighbouring properties, it is considered that no detrimental or unacceptable loss of privacy, light or outlook will occur and that the previous reason for refusal has been suitably addressed. As such it is considered to meet the requirements of saved Policy 59.BE of the adopted Local Plan and Policy DM1 of the Submitted Local Plan, as well as the Council's 'Quality Places' Supplementary Planning Document.

Parking

45. The existing driveway and proposed new garage and driveway to the rear can easily accommodate the minimum of three off-road parking spaces required by the Council's 'Residential Parking Standards' SPD for the resulting five bedroom dwelling. The application is therefore considered to comply with this element of saved Policy 59.BE and 104.T of the current Local Plan and Policy DM24 of the Submitted Local Plan.

Street Scene & Area Character

46. Although the original Crowsport Estate was intended as a group of predominantly single storey dwellings, over the years many have had first floors added, together with roof terraces. The acceptability and principle of a first floor has therefore been established through various recent planning approvals, as well as within the 'Hamble Conservation Area Appraisal' SPD, provided certain stipulations are met. The proposed scheme will meet these requirements and the simplified form of the amended scheme and reinstatement of the parapet walls is considered to be more authentic and respectful to the original Bauhaus aesthetic of the estate.

47. The amended scheme is therefore considered to meet the requirements of saved Policies 59.BE, 169.LB and 184.LB of the

adopted Local Plan and Policies DM1 and DM10 of the Submitted Local Plan, as well as the Council's 'Quality Places' and 'Hamble Conservation Area Appraisal' Supplementary Planning Documents.

Other material considerations

48. Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. However, this proposed replacement for the current adopted Local Plan has been found unsound by the appointed Planning Inquiry Inspector, although it is yet to be formally withdrawn. With regards to this application, the new policies of the Submitted Local plan essentially echo those of the current plan and are not considered to affect the recommendation put forward.

Conclusion

49. For the reasons given above, the application is recommended for approval subject to the conditions set out above.

#MAP#