

DELEGATED OFFICER REPORT

Application Ref: H/22/93136

Site Address: 137 SATCHELL LANE, HAMBLE-LE-RICE, SOUTHAMPTON, SO31 4HP

Case Officer: Dorothy Hei-Tung-Hoh

Description: Proposed first floor 2 no. dormers and a balcony and a viewing platform located in the back garden.

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

Planning History?	Yes ☒	No ☐
• Z/17995/000/00 - extension - Permit - 04/11/1977 • Z/17995/001/00 - extension - Permit - 04/03/1980 • Z/17995/002/00 - CONSTRUCTION OF REAR CONSERVATORY - Permit - 07/08/1997		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	141 SATCHELL LANE - Objection – Summarised • The balcony would have a very big impact on overlooking and privacy to our property. • The “viewing platform” proposed for the rear of the garden is also going to change privacy and overlooking conditions for the neighbouring properties. • The current overlooking and privacy of our houses, and gardens will be destroyed.		
Parish Council:	No Comments received		
Ecologist:	There are records of nesting birds and bats nearby.		

Site Visit:	Yes ☒	No ☐
Details: 30 th June 2022		

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 Bursledon, Hamble-le-Rice and Hound (BHH 32)

Assessment:

The application site contains a detached bungalow set in a long plot which slopes up gently from the road and then getting steeper towards the rear of the site. The dwelling has a steep roof with flat roof dormer and prominent gable at the front. Over the years, rear extensions and conservatory have been added to provide additional accommodation. The immediate neighbour (135 Satchell Lane) of the application site is of a similar style and appearance, both properties are accessed from a shared driveway off Satchell Lane. Trees and shrubbery to the front adjacent to the road but open at the shared vehicle access point. The very rear boundary onto the field behind is a 1.2 metre post and wire fence. The surrounding area is residential in nature, consisting of large, detached properties of varying styles set in spacious verdant plots. The application seeks approval for the construction of two new first-floor dormers and a balcony to the rear of the dwelling as well as a viewing platform at the back garden of this site.

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 Bursledon, Hamble-le-Rice and Hound (BHH 32) which provides the following guidance on developments and that they should ensure that:
 - i) Retain the soft verges and supplement with additional planting in order to maintain the 'lane' character.
 - ii) Retain and extend the continuity in building line at the southern end of Satchell Lane.
 - iii) Ensure that any back land development is subordinate to the existing development and serviced via a separate access road.
 - iv) Maintain the predominant deep building setbacks in order to retain/reinforce the existing levels of on-plot planting

Character and Design

- 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 majority of the proposed developments of the proposal is to the rear, which are to infill the voids at first floor, reflecting the ground floor plan. Although these infill developments at first floor would be distributed around the existing building, reducing their impact and actual visual harm, the addition of timber boarding with dark stain is not considered to respect the brown brick and white rendered appearance of the host dwelling. This would result in discordant rear/side elevations with a 'mis-match' of materials, creating unattractive side profiles. The glazed nature of the balustrade surrounding the proposed balcony would also detract from the overall appearance of the host dwelling. Overall, the proposed rear dormers and balcony are considered to have a harmful impact upon the host dwelling due to the introduction of new materials.
- With regards to the proposed viewing platform, due to its elevated nature, together with its utilitarian appearance, the structure is of a scale that is less domestic in its appearance but more of something akin to a structure found within the nature reserve. It would therefore introduce an incongruous feature which is visually out of

keeping with its current characteristics. Its height would also be detrimental to the general spatial character of the area, being highly visible from neighbours.

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.
- The current proposal should take full and proper account of the context of the site, including the character and appearance of the locality. In addition, they should not unduly interfere with or have an unacceptable impact on the living conditions of the occupiers of nearby dwellings. The National Planning Policy Framework (NPPF) similarly seeks a good standard of living for all residents and states that new development should respond to local character and add to the overall quality of an area.
- Within the council's Quality Places SPD, balconies are mainly only encouraged where an open view can be taken advantage of or where they would serve flats/apartments as a source of amenity. The SPD also notes that balconies would be mostly inappropriate to existing dwellings within the borough due to unacceptable loss of privacy to adjoining neighbours.
- It is acknowledged that balconies can significantly alter the relationships between properties and the view out from the balcony would be dissimilar from the view currently achieved from the dwelling's first floor windows. This is because balconies are considered a lot more intrusive as people are able to physically inhabit the space and so have more visibility into neighbouring properties and more ability to be considered a disturbance. Given the open boundaries to the sides of the site, the proposed balcony would create an unacceptable level of overlooking and a loss of privacy to the neighbouring dwellings. Standing on the balcony could directly face on to the rear garden of neighbouring properties and so would result in a decreased enjoyment to their private amenity space within their own dwellings. This would be most notable to 139 and 141 Satchell Lane.
- Moreover, the balcony, measuring approximately 4m in width by 3m in depth, would be very close to 139 Satchell Lane. When the area of the balcony would most likely be used to sit on and socialise, this disturbance to 139 Satchell Lane would be unacceptable as there are no boundary treatments to help camouflage the balcony from sight.
- The very rear boundary onto the field behind is a 1.2 metre post and wire fence, which means that anyone stand at the back garden would be able to look directly into the rear of neighbouring gardens. The proposed viewing platform due to its height at approximately 3.57m in some elevations and overall dimensions, would exacerbate the overlooking issue and be detrimental to the neighbours as it would allow 360-degree views at a high position. Although it is deemed to be sited a sufficient distance from the main habitable areas of any of the neighbouring dwellings, it would still create a sense of unacceptable overlooking to adjacent neighbours. Concern has been raised by 141 Satchell Lane that the proposal would have a very big impact on overlooking and privacy to their property.
- To conclude, the proposed balcony and viewing platform are considered to result in an adverse impact upon the amenities of the neighbouring properties and would therefore be recommended for refusal.

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.
- This property is on the edge of Hamble Common, and near the designated areas of the River Hamble. There are records of nesting birds and bats nearby. Following consultation with the Council's Ecologist, a preliminary ecological assessment is required for the proposals for the house and the viewing platform. The report will also need to include recommendations for appropriate biodiversity enhancements.
- Given that the proposal is recommended for refusal, the preliminary ecological assessment has not been requested.

Trees and landscaping

- The site does not contain any trees offered protection by a tree preservation order. Furthermore, the proposal has been deemed not to be in conflict with any trees or landscape features of particular amenity to the area. There are no likely significant impacts on the SPA.

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 incorporate any additional bedrooms so it would not impact on the existing car parking arrangements.

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:

Reasons for Refusal:

- 1) The proposed first floor rear dormers, by reasons of their siting and introduction of new materials, would result in an incongruous addition, at odds with the character and appearance of the host dwelling. The proposal is therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2021).
- 2) The proposed rear balcony, by reason of its siting and close proximity to the neighbours to the north, would have an unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy or overlooking. The proposal is therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2021).
- 3) The proposed viewing platform, by reason of its combined height, depth and width and its visually prominent siting at the rear, would stand out as an incongruous feature amongst the other properties within the locality. It would also create a sense of unacceptable overlooking to adjacent neighbours. The proposal is therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2021).

Recommendation:	PERMIT ☐	REFUSE ☒
Comments		