

DELEGATED OFFICER REPORT

Application Ref: H/22/93455

Site Address: 8 Marina Drive, Hamble-Le-Rice, Southampton, SO31 4PJ

Case Officer: Summer Sharpe

Description: Single storey side and rear extension with extension of existing balcony and alteration to fenestration.

Particular Site Constraints?	Yes ☒	No ☐
- Within urban edge - Hamble Conservation Area - Airport safeguarding zone - Flood Zone 2 & 3 - Solent mitigation and disturbance zone		

Planning History?	Yes ☒	No ☐
Planning App no.	Proposal	Decision
H/21/91080	Single storey rear/side extension incorporating balcony above with external stairs leading thereto	Permitted (September 2021)
C/40571	Extension to first floor balcony with insertion of double door to south elevation and spiral staircase.	Permitted (November 2003)

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	<u>1no. Comment, summarised as follows:</u> (a) concern with regard to the removal of a mature large birch tree close to the property. <u>1no. Objection summarised as follows:</u> (a) the proposed extension breaks the 45 degree rule horizontally, (b) impact of foundations and structural integrity of neighbouring property, (c) loss of light, (d) loss of privacy, (e) impact on use of neighbours garden, (f) less drain away, (g) construction works; noise, dirt, workers and equipment, (h) value and saleability of neighbouring property, (i) sets precedent, and (j) impact upon conservation area.		
Parish Council:	None received.		
EBC Ecologist:	No ecologist objection. Biodiversity enhancements required. Addition of informative.		
EBC Conservationist:	No objection - The idea is to enlarge the rear ground floor bedrooms to two en-suite doubles and increase the size of the balcony above to more closely match that of the new building footprint in a wrap-around form. From a purely architectural viewpoint the proposal is an improvement, replacing numerous supporting posts and newel posts with brick-work, patio doors and a cleaner self-supporting glass balustrade giving much simpler more elegant elevations to both the west and south aspects, albeit some 900mm further out into the garden. As this property is so far from the back of the nearest listed buildings and is at ground floor level in a rising site to the rear, it will not affect the setting of the heritage assets, in-fact with a more elegant product than the existing it could well be argued to be an improvement in visual terms.		

Natural England:	None received.
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Policy:

National Planning Policy Framework

National Planning Practice Guidance

Development Plan:

Eastleigh Borough Local Plan 2016-2036

Policies: S1 (Delivering sustainable development), S8 (Historic Environment), DM1 (General development), DM3 (Adaption to Climate change), DM6 (Surface water management), DM11 (Nature Conservation), DM12 (Heritage assets) and DM14 (Parking).

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Hamble Conservation Area Appraisal.

Site Visit	Yes ☒	No ☐
4 August 2022.		

Assessment:

Site & Surroundings

The application site is a late 1990s modern three-storey end of terrace dwelling located to the west of Marina Drive. The dwelling is finished in red facing brick work and white upvc fenestration, and currently benefits from a balcony which wraps around the host dwelling in an 'L-shape'. The neighbouring properties are all similar in terms of their appearance creating a sense of uniformity. It should also be noted that the neighbouring properties benefit from rear balconies at first floor level. The application site and wider surroundings also fall within the Hamble Conservation Area.

Proposal

Planning application H/21/91080 granted permission to infill and extend the area underneath the existing first floor balcony. This approved a 3m deep single storey rear extension with roof lantern (approx. 3.2m in height). The extension would also wrap around the southern side of the property, following the position of the existing balcony. Permission was also granted to extend the existing balcony by 1m to the rear in an 'L-shape' to the south, whereby an external spiral staircase would be added to the side of the balcony leading down to the rear garden.

This application proposes amendments in the form of enlarging the previous approved balcony under planning application H/21/91080. This is proposed to extend the balcony approx. 0.8m further south than the previous permission, approx. 1.8m from the original balcony.

Principle

The application site falls within the urban edge, whereby alterations or extensions to, or within the curtilage of residential dwellinghouses are considered to be acceptable in principle, however, would be subject to the following considerations. It should also be noted that this application seeks to slightly enlarge the previously approved extension and balcony under planning application H/21/91080.

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 neighbouring, and be compatible in terms of mass, scale, layout density, design and siting. Policy DM12 of the same plan stipulates that development of a heritage asset would only be permitted where the proposals do not harm or detract from the significance or special interest of the asset.

The application site also falls within the “Hamble” Conservation Area. Thus triggering Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), which requires the local planning authority, or as the case may be, the Secretary of State, pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

In determining planning application H/21/91080 the Officer concluded that the proposed single storey rear extension and balcony would be suited to the row of terraced properties in terms of its form, scale and appearance.

This application proposes the same works, but also seeks to slightly enlarge the previously approved balcony. The previous assessment remains in situ, whereby the proposed extension is considered to be of modest dimensions and would be finished in materials to match, thus would be considered acceptable. Therefore, the main consideration is whether the proposed enlargement of the balcony is appropriate. The enlargement to the balcony would result in a staggered boundary along the southern elevation, however and taking into consideration the previous permission, this is not considered to be harmful in terms of the visual impact. The proposal would increase the previously approved balcony by approx. 0.8m and would be finished with glass balustrading to match the existing. The use of this material is considered to aid its appearance given that it is lightweight and reflective of the surrounding area. Furthermore, the Council’s Conservation Officer raised no objection to the proposals.

Due to the location of the site within the Hamble Conservation Area, regard must be given to the impact of the proposals upon this. The proposal is considered to be an appropriate addition to the host dwelling, and therefore would preserve the appearance of the site and wider surrounding Conservation Area, thus complying with Section 72 of the abovementioned Act.

Overall and to conclude, the proposals are considered to be in accordance with the abovementioned policies and would therefore be acceptable.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

In determining planning application H/21/91080 the Officer concluded that the proposed single storey rear extension and balcony would not have an adverse impact upon the neighbouring amenities. They set out that the proposed single storey rear extension complies with the 45-degree daylight test within the Quality Places SPD. The proposed single storey rear extension would be the same as previously approved. Therefore, the previous assessment remains in situ.

However, 1no. objection has been received from a neighbouring property and therefore these matters raised will be addressed. With regard to the loss of light, privacy and impact upon neighbouring amenities, these were considered and assessed as part of the previous planning application. As the proposed single storey extension would be as previously approved this assessment remains. The impact upon foundations is considered

a building control matter. In terms of drainage, the Council's Ecologist was consulted whereby they raised no objection, in addition the flood risk has been assessed separately. It is noted construction works were raised, due to the small scale of development it is not considered necessary, nor reasonable to condition a construction management plan. The sale and value of the neighbouring property is not a planning consideration. With regard to precedent, the LPA would advise that each application is assessed and determined upon its own merits. The impact of the proposals upon the Conservation Area have been assessed within the design section.

The proposal also includes the enlargement to the previously approved balcony. This was considered acceptable given its separation from the neighbouring amenities. This application seeks to extend the balcony further south, away from the neighbouring properties. As such, this element of the proposal is not considered to have an adverse impact upon the amenities of the neighbouring properties.

To conclude, the proposals are considered to be in accordance with the abovementioned Policy and would therefore be acceptable in this regard.

Flood Risk

Policies DM3 and DM6 of the submitted Eastleigh Borough Local Plan (2016-2036) stipulate that new development must provide sustainable drainage systems (SuDs) wherever feasible, naturalised filtration should also be included.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 states there is no requirement to consult the Environment Agency for minor development within Flood Zone 2 or 3, however, paragraph 167 of the National Planning Policy Framework (NPPF) (2021) states all applications should be supported by a site-specific flood-risk assessment but in this instance a sequential or exception test is not required. A Flood Risk Assessment has been submitted as part of this application.

This application relates to a dwellinghouse which is classified as being 'more vulnerable' in the flood risk vulnerability classification set out in the National Planning Practice Guidance. However, having regard to the flood risk vulnerability and flood zone compatibility set out in Table 3 of the National Planning Practice Guidance, the development is deemed appropriate.

The application proposes alterations to a previously approved scheme which comprises the addition of a single storey rear extension and enlargement to existing balcony. The Agent has provided a Flood Risk Assessment to advise that the floor levels of the proposed extension would be the same as the existing dwelling and that this would be constructed with reference to '*Improving the flood performance of new buildings – Flood resilient Construction*', where measures are compatible with the host dwelling. Therefore, having regard to the advice set out in the National Planning Practice Guidance and the scale of the development, it is not considered that the proposal would result in any increased risk of flooding on the site.

Other Matters

It is noted that a comment was received which related to concern about the removal of the birch tree. Within the completed application form it is noted that the proposal would not result in the loss of, or works being undertaken to trees. It should also be noted that the application site falls within the Hamble Conservation Area, therefore any works to the tree would require consent from the Local Planning Authority.

Equalities Act:

Section 149 of the Equalities Act 2021 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.

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 and development plan 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 Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF and 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 and is expected to limit impacts on climate emissions as a result of the development or its use.

Conclusion:

The application is recommended for approval, subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐