

DELEGATED OFFICER REPORT

Application Ref: H/22/93980

Site Address: SPINDRIFT, 8 ABBOTS WAY, NETLEY ABBEY, SOUTHAMPTON, SO31 5QX

Case Officer: Claire Campbell-Best

Description: First floor rear balcony

Particular Site Constraints	Yes ☒	No ☐
Within the Urban Edge Within Built-Up Established Area HRA Screening Criteria – River, SAC, SPA and Ramsar		

Planning History	Yes ☒	No ☐
Reference	Description	Decision
F/09/65053 (12 Woolston Road)	Construction of first floor extension with new balcony, single storey side and rear extensions, alterations to retaining wall and steps and construction of detached garage/store	Refuse – 07/07/2009
F/09/65542 (12 Woolston Road)	Construction of first floor extension with new balcony, single storey side and rear extensions, alterations to retaining wall and steps and construction of detached garage/store (amended design)	Permit – 11/09/2009

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	1no. objection from 12 Woolston Road (summarised): - Proposed balcony will look into rear garden - Impact on privacy - Will set a precedent		
Hound Parish Council:	No objection		
Ecology:	There are many records of bats very close to this site. I have reviewed the close-up site photos and so not see any potential bat roost features that would be affected by this proposal. Please could you add the following to the decision letter: 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. Biodiversity enhancements are also required		

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 21/11/2022		

Policy:
National Planning Policy Framework

Planning Practice Guidance

Development Plan:

The Eastleigh Borough Local Plan 2016-2036 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 Appraisals.

Assessment:

Site and Proposal

The application site contains a two storey detached dwelling with an integrated garage, a single storey rear projection and adjoining conservatory located in a cul-de-sac close to the turning head. The property is set back from the highway and has a skewed position within the plot, there is a driveway and modest garden to the front and a good sized garden to the rear. The surrounding area is residential in nature, the properties in Abbots Way are of a similar style and size, with the properties slightly set forwards of each other of the south western side.

The application seeks approval for a first floor rear balcony which would lead of from bedroom 1 of the host dwelling. The window to this bedroom would be replaced with 2no. patio doors. The proposed balcony would be set down and inset into the existing single rear roof slope and would be flush with this ridge line. The balcony would have a width of 3.9m and a depth of 1.7m and would be enclosed with a 0.9m high glass balustrade.

Principle

The development is within the urban edge of Netley Abbey where the principle of development is acceptable provided it complies with policies DM1, DM11 and DM14 of the Eastleigh Borough Local Development Plan (2016-2036).

Design and Layout

- The design of the first floor rear balcony is suited to the host dwelling in terms of its form, scale and appearance.
- The balcony would be a modest size and would be sited on the right hand side on the first floor rear elevation. It would not be visible to the public, as such the proposal would have no impact within the street scene.
- It is acknowledged there is no similar development within Abbots Way, however there is an example of a balcony permitted under F/09/65542 at 12 Woolston Road. Due to this and the proposal being tucked away to the rear, it is considered the development would not be harmful to the character of the host dwelling and would be in keeping within the local surroundings.
- The development would not be an overdevelopment of the site, would retain sufficient amenity space and meet parking standards.

Residential Amenity

- Careful consideration needs to be given to proposed balconies due to the potential impact they could have with regards to unacceptable loss of privacy to adjoining properties. The neighbours most impacted by the development would be no. 2 Abbots Way, Southwood (Abbots Way) and 12 Woolston Road who all share a common boundary with the application site.
- The proposed balcony would be recessed into the building structure of the host dwelling which would minimise any potential overlooking, further aided by the existing rear conservatory in situ, which would screen the proposal from the adjoining neighbours south west of the site. Due to this, the separation distances

and the orientations of the host dwelling property and these adjoining neighbours, the balcony would mainly face the rear garden of the application site with slight views into the rear portions of these neighbouring gardens, which this is the current relationship when comparing the view from the existing window to bedroom 1. It is also noted there is dense hedging/vegetation along the boundaries shared with Southwood and 12 Woolston Road.

- With these factors taken into account, it is considered that the proposed balcony would not be unduly overbearing or result in significant loss of privacy with regards to the neighbouring properties to warrant a refusal. As such, the development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.

Other Material Considerations

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

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.

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: This application is recommended for approval, subject to conditions

Recommendation:

PERMIT ☒

REFUSE ☐