

DELEGATED OFFICER REPORT

Application Ref: H/23/96174

Site Address: 15 RECTORY COURT, BOTLEY, SOUTHAMPTON, SO30 2SJ

Case Officer: Dorothy Hei-Tung-Hoh

Description: Proposed roof alterations to facilitate rear balcony

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

Planning History?	Yes ☒	No ☐
• F/05/53044 - Single storey side extension - Permit - 15/03/2005 • F/06/57164 - Two storey side extension with front facing dormer window - Permit - 17/07/2006 • F/08/63015 - Retrospective 2 storey side extension with front dormer window (amended design) - Withdrawn (Ret'd undetermined) - 04/08/2008 • F/08/63560 - Retrospective 2 storey side extension with front dormer window (amended design) - Permit - 19/09/2008		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	1 objection letter was received to the application, the representee raised the concerns about loss of privacy and overlooking.		
Parish Council:	No comment. No objection.		
Ecologist:	I don't see any potential bat roost features on this building.		

Site Visit:	Yes ☒	No ☐
Details: 8 th November 2023		

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 Hedge End, West End and Botley (HEWEB 47)

Assessment:
The application property is a 1970s three-storey end of terrace townhouse located on the north west edge of Botley, which features a two-storey side extension with a rear dormer.

The property is one among four blocks arranged around a central shared parking court, with the side and rear of the property abutting public footpaths. This application seeks planning approval for the addition of a rear balcony in the first-floor bedroom.

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 Hedge End, West End and Botley (HEWEB 47) which provides the following guidance on developments and that they should ensure that:
 - i) Retain the wide grass verges and associated semi-mature broadleaved tree planting.
 - ii) Maintain the predominant plot widths and continuity in building line.
 - iii) Maintain the predominant open frontages while seeking to maintain a clear distinction between public and private space.
 - iv) Maintain a uniformity in building heights within each street.

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.
- Positioned within the rear roof slope of the existing side extension, the proposed balcony will not be visible from the street scene, maintaining the established appearance and character of the host dwelling.
- While the balcony may be observable from the surrounding public footpaths and some neighbouring properties, its visual impact is anticipated to be minimal owing to its modest dimensions and materials.
- While a balcony is often deemed inappropriate for existing dwellings within the borough, it is considered that the property is situated at a relatively concealed location. As such, any additions to the rear of the property are not anticipated to be prominently visible, mitigating potential harmful impacts to the surrounding area.

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.
- Considering the proposal's nature, the primary concern revolves around potential overlooking and loss of privacy, particularly due to a balcony is always considered a lot more intrusive, offering a more expansive view compared to standard windows. In this context, the most affected neighbours by the proposed balcony are anticipated to be 16 Rectory Court and 24 Holmesland Drive. For neighbouring properties (10-14 Rectory Court) situated on the left-hand side of the balcony, it is considered that the existing structure of the property, including the flank wall and rear bay window, could act as a physical barrier, limiting direct views from the

balcony toward these neighbours, thereby minimising any potential overlooking concerns.

- Concerning 16 Rectory Court and 24 Holmesland Drive, it is acknowledged that the proposed balcony could potentially facilitate views into their rear gardens when occupants utilise it. However, it was observed during the site visit that the existing first-floor bedroom already features a side-facing window with clear glazing directly overlooking these properties. As such, the envisioned view from the proposed rear balcony is not deemed more intrusive than the existing side-facing window. Additionally, the surrounding public footpaths boast several trees whose positioning can naturally obstruct views from the proposed balcony towards properties such as 24 Holmesland Drive. This natural screening adds an extra layer of privacy protection for the neighbouring properties along Holmesland Drive.
- The possibility of incorporating a privacy screen at the side of the balcony was duly considered. However, given the presence of an existing side-facing window, the addition of a privacy screen is deemed redundant and unlikely to result in a significant improvement in addressing potential overlooking concerns.

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.
- There are records of bats very close to this site and therefore the Council's Ecologist has been consulted as part of this planning application. After reviewing the site photos, it was confirmed that no potential bat roost features on this building, but it is recommended to add a bat box or a swift nest box for this site as biodiversity enhancements.

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 would not affect the existing parking arrangements due to no alterations in the number of bedrooms.

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:

- Permit subject to conditions

Recommendation:

PERMIT ☒

REFUSE ☐

Comments