

BHH – Bursledon, Hamble and Hound Local Area Committee Thursday 2 July 2026.

Application Number: F/25/100340
Case Officer: Dorothy Hei-Tung-Hoh
Received Date: Wednesday 29 October 2025
Site Address: 24 STATION ROAD, NETLEY ABBEY, SOUTHAMPTON, SO31 5AF
Applicant: Raymond Dumper
Proposal: Reinstatement of a door to the front elevation, use of the front patio as an external seating area including the provision of three bench tables, and retention of the existing 1 metre high glass balustrade enclosing the patio area

Recommendation: Permit subject to conditions

CONDITIONS AND REASONS

- 1 The development hereby permitted shall be implemented in accordance with the following plans and documents: Location Plan, As-Built (Existing) Balustrade Front Elevation Plan, As-Built (Existing) Glass Balustrade Plan, Proposed Front Elevation Plan, Proposed Floor Plan, Proposed Section Plan, Proposed Front and Side Elevations Plan, Round Picnic Table Details (received 16/04/2026), and Planning Statement – Requirement and Proposed Use by Club Members (received 22/04/2026)

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 The use of the front patio as an external seating area hereby permitted shall be for a temporary period of three years from the date of this decision, after which the patio area shall no longer be used for external seating purposes and all external seating removed.

Reason: To enable the Local Planning Authority to assess the impact of the development.

- 4 The external patio and seating area hereby permitted shall only be used between the following hours:

- Monday to Thursday: 14:00 to 18:30
- Friday and Saturday (including any day on which live entertainment is taking place within the building): 12:00 to 20:00
- Sunday and Bank Holidays: 12:00 to 17:00

Reason: To protect the amenity of the adjoining residential properties.

- 5 No amplified music, loudspeaker, karaoke equipment or any other amplified sound equipment shall be operated within the external seating area hereby approved or any other external area associated with the use hereby permitted.

Reason: To protect the amenity of the adjoining residential properties.

- 6 The external seating area hereby permitted shall only be used in connection with the lawful operation of Netley Central Sports and Social Club and shall not be used as a separate drinking, dining or entertainment area independent of the club.

Reason: To ensure the use remains ancillary to the approved club use and to protect the amenity of the adjoining residential properties.

Note to Applicant: The applicant is advised that this permission does not authorise the creation of a statutory nuisance. Any substantiated complaints relating to noise or disturbance may be investigated by the Council under separate legislation and may require additional mitigation measures to be implemented where appropriate.

Note to Applicant: This permission relates solely to planning matters and does not override any requirement to obtain separate licences, approvals or consents under other legislation.

Note to Applicant: In accordance with paragraph 39 of the National Planning Policy Framework (December 2024), 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.

Report:

1. This application has been referred to the Committee by Cllr Tonia Craig, Cllr Steve Holes and Cllr Jane O'Sullivan.

Site Characteristics and Character of the Locality

2. The application site comprises the Netley Central Sports and Social Club, a membership-based community facility located on the western side of Station Road. The club provides a range of social, recreational and community activities for its members.
3. The site contains a two-storey detached building which is finished predominantly in cream render and features a raised paved patio area extending across much of the front elevation. The site levels are elevated above the adjoining public footway due to the gradual change in ground levels along Station Road. The entrance to the club is located on the north-eastern side elevation, whilst associated parking area is situated to the rear of the building and accessed from New Road. It was noted during the site visit that a glass balustrade has already been installed enclosing the raised patio area.
4. The site is located within Netley Local Centre. The surrounding area is mixed in character and comprises a variety of commercial, community and residential uses, including retail premises, restaurant, a supermarket and residential properties.

Description of Application

5. The application seeks planning permission for the retention of a glass balustrade enclosing the existing raised patio area to the front of the building, the use of the front patio as an external seating area, and the installation of a new doorway within the principal front elevation.
6. The balustrade has already been installed and therefore forms the retrospective element of the application. It comprises clear glass panels supported by vertical posts and measures approximately 1 metre in height above patio level. The balustrade encloses the front patio area whilst retaining an opening adjacent to the side entrance.
7. The proposal also seeks permission to utilise the front patio as an outdoor seating area associated with the existing sports and social club. The submitted plans indicate the provision of three circular picnic bench tables positioned within the patio area. Each table has an overall diameter of approximately 2 metres and is capable of accommodating up to eight users. The submitted Planning Statement sets out a number of management measures for the operation of the patio area, including restrictions on amplified music and arrangements relating to the use of the patio during live entertainment events.

8. In order to facilitate access between the club and the proposed seating area, a new doorway is proposed within the centre of the principal front elevation. The proposed doorway would comprise a white uPVC door with a frosted glazed panel and would measure approximately 1 metre in width and 2.1 metres in height. The submitted details indicate that the doorway would incorporate an accessible threshold suitable for wheelchair users.

Relevant Planning History

- Z/15322/000/00 - Erection of extensions to sports and social club premises - Permit - 20/09/1974
- Z/15322/001/00 - Single storey side extension - Permit - 22/05/1980
- Z/15322/002/00 - Cladding of front and side elevations - Refuse Planning Permission For - 19/08/1983
- A/15322/003/00 - Pole erected double sided illuminated box sign - Consent To The Advert Display - 13/12/1983
- F/23/94865 - Creation of new front entrance and windows, including replacement windows and decked area to front surrounded by new balustrade (Duplicate of F/23/94825) - Closed
- F/23/94825 - Installation of 3no. picnic benches, grey decking and 1.12m high glass balustrade to existing patio next to Station Road. Installation of 1no. door and 2no. windows on north western elevation. - Refuse Planning Permission For - 20/09/2023

Representations Received

9. Seven representations were received in respect of the application, comprising five objections and two comments. The issues raised are summarised as follows:

Objections

- The proposal is substantially similar to the previously refused application F/23/94825 and it is considered that the circumstances have not materially changed.
- Increased use of the front patio would result in noise, disturbance and loss of residential amenity to nearby occupiers.
- Concerns that the proposed seating area would encourage anti-social behaviour, including shouting, swearing, public disorder and late-night disturbance.
- Concerns that the proposed doorway would allow noise from within the club to escape into the surrounding area.
- Concerns regarding the effectiveness and enforceability of the proposed management measures and operating restrictions.

- Concerns that the patio area could be accessed by members of the public outside operating hours, resulting in nuisance and anti-social behaviour.
- Concerns that the development would have an adverse impact on pedestrians, nearby residents and the character of the local centre.
- Concerns that the applicant proceeded with the installation of the glass balustrade following refusal of the previous application and that future restrictions may not be adhered to.
- Concerns relating to smoking, alcohol consumption and general disturbance associated with the proposed outdoor seating area.

Comments

- Concerns were raised regarding the potential for noise, disturbance and anti-social behaviour associated with the use of the patio area.
- Concerns were raised regarding the previous refusal and the subsequent installation of the glass balustrade.
- One representation considered that improvements to the frontage of the club could be beneficial, provided appropriate controls were imposed, including restrictions on hours of use, keeping doors closed, preventing outdoor entertainment and ensuring effective management of the external seating area.

Consultation Responses

- 10. Parish Council:** The Parish Council object to the application. It is considered that the proposal raises the same concerns as the previously refused application F/23/94825 and would result in an unacceptable level of noise and disturbance from club users to the detriment of the amenities of nearby residential occupiers. The Parish Council consider the proposal to be contrary to Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).
- 11. Environmental Health:** Environmental Health initially raised concerns regarding the potential for noise and disturbance arising from the use of the proposed external seating area due to its proximity to neighbouring residential properties. Following discussions with the applicant, Environmental Health confirmed that they would not object to the proposal subject to appropriate operational controls being secured. These include restrictions on the hours of use of the patio area, a prohibition on amplified music within external areas, and management measures relating to the operation of the patio. Environmental Health also advised that whilst the existing 1 metre high glass balustrade may not provide significant mitigation, they are satisfied for the current application to proceed on this basis, noting that further mitigation measures may be required in the future should substantiated noise complaints arise.
- 12. HCC Highways:** HCC Highways raise no objection to the proposal. It is noted that all elements of the development are contained within the application site and do not extend onto or adversely affect the public highway

Policy Context and Designations Applicable to Site

- Within the Urban Edge
- Within Netley Local Centre

Development Plan Local Plan Policies

Submitted Eastleigh Borough Local Plan 2016-2036

The most relevant policies are:

Strategic policies:

- S1 (Sustainable Development); &
- S2 (Promotion of New Development);

Development Management policies:

- DM1 (General Development Criteria);
- DM8 (Pollution);
- DM13 (General development criteria – transport);
- DM14 (Parking)
- DM36 (Community, leisure and cultural facilities)

Supplementary Planning Documents

- Quality Places (November 2011);
- Residential Parking Standards (September 2025);
- Character Area Appraisal for Bursledon, Hamble-le-Rice and Hound (January 2008)

National Planning Policy Framework

13. At national level, the National Planning Policy Framework (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The NPPF states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and sets out a general presumption in favour of sustainable development unless material considerations indicate otherwise. A deliverable five-year supply of housing within each local authority area is required, and if this is not demonstrated a tilted balance in favour of the development applies.
14. Three dimensions of sustainability are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst local circumstances should also be taken into account, so that development responds to the different opportunities for achieving sustainable development in different areas.

National Planning Practice Guidance

15. Where material, the Planning Practice Guidance which supports the provisions and policies of the NPPF should be afforded weight in the consideration and determination of planning applications.

Assessment of Proposal

Development Plan and / or Legislative Background

16. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a Local Planning Authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the policies of the Eastleigh Borough Local Plan 2016-2036 and the Hampshire Minerals and Waste Plan 2013. The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

Policy and Principle

17. The application site lies within the urban edge where the basic principle of development is acceptable, with any formal approval being dependent upon the exact nature, design and impacts of the proposal being considered acceptable and in accordance with the relevant policies of the Eastleigh Borough Local Plan (2016–2036) and other material planning considerations.
18. It is considered that Policies DM1 (General Development Criteria), DM8 (Pollution) and DM36 (Community, Leisure and Cultural Facilities) of the Eastleigh Borough Local Plan (2016–2036) are the most relevant policies in the assessment of this application.
19. Policy DM1 of the Eastleigh Borough Local Plan (2016–2036) requires development to take full account of the character, appearance and land uses of the locality, to be well integrated with adjoining uses, and to avoid unacceptable impacts on the amenities of existing and future occupiers. In this case, the key considerations are the visual impact of the proposed door and balustrade, together with the effect of the proposed external seating area on neighbouring residential amenity.
20. Policy DM8 of the Eastleigh Borough Local Plan (2016–2036) seeks to ensure that development does not result in unacceptable environmental impacts, including noise and disturbance. Given the nature of the proposal and the concerns raised through representations and the planning history of the site, the potential impact of noise arising from the use of the external seating area is a key consideration in the determination of this application.
21. Policy DM36 of the Eastleigh Borough Local Plan (2016–2036) supports the development and enhancement of community, leisure and cultural facilities within local centres, provided that proposals are of an appropriate scale and do not

result in unacceptable impacts. The application relates to an existing sports and social club located within Netley Local Centre and therefore the proposal is considered to accord with the general objectives of Policy DM36 in principle.

Layout, design, and impact upon the character of the area

22. The proposed doorway would be positioned centrally within the principal front elevation and would provide direct access between the club building and the proposed external seating area. The doorway would be modest in scale relative to the host building and would utilise a simple white uPVC frame with a frosted glazed panel. Given its size, appearance and proportionate relationship with the existing frontage, it is not considered that the proposed door would appear incongruous or visually intrusive. It would represent a minor alteration to the building which would integrate satisfactorily with the existing appearance of the club.
23. The application also seeks retrospective permission for the retention of the existing glass balustrade enclosing the raised patio area. Whilst the balustrade is visible from the public realm, it is formed of clear glazed panels supported by vertical posts. Due to its transparent design, the balustrade maintains a lightweight appearance and allows views through the structure. The balustrade measures approximately 1 metre in height and does not appear overly dominant when viewed from Station Road. Given its transparent design and modest height, it is not considered to result in material harm to the character or appearance of the building or the wider street scene.
24. The proposal further seeks permission for the use of the front patio as an external seating area incorporating three picnic bench tables. The site is located within Netley Local Centre where a variety of commercial, community and service uses are present. The surrounding area exhibits a mixed character, and in this context the provision of a modest external seating area associated with an existing sports and social club is not considered incongruous or out of keeping with the character and function of the local centre.

Residential Amenity

25. The proposed door and glass balustrade are not considered, in themselves, to give rise to any significant residential amenity concerns. The proposed doorway would be modest in scale and would not result in overlooking, loss of privacy, overshadowing or any other material impact upon neighbouring occupiers. The doorway would principally provide access between the club and the patio area and is not considered likely to result in any significant increase in noise. Furthermore, the submitted Planning Statement confirms that the access door serving the patio area would remain locked during periods of live entertainment. Similarly, the existing glass balustrade, by reason of its height, form and location, would not adversely affect outlook, light or privacy enjoyed by neighbouring occupiers.

26. The principal amenity consideration in this case relates to the proposed use of the front patio as an external seating area and the potential for noise and general disturbance arising from its use.
27. In considering this matter, it is noted that planning permission was previously refused under application F/23/94825 on the basis that increased use of the front patio would result in an unacceptable level of noise and disturbance to nearby residential properties. This planning history is an important material consideration. However, each application must be assessed on its own merits and having regard to the information available at the time of determination.
28. Following discussions with the Council's Environmental Health Consultant, the current proposal has been revised and supplemented with a number of operational controls intended to address the concerns which formed the basis of the previous refusal. Environmental Health have confirmed that they raise no objection to the proposal subject to restrictions relating to the operation of the patio area, including limits on its hours of use and a prohibition on amplified music within external areas.
29. The applicant has confirmed their willingness to operate the patio area in accordance with the restrictions recommended by Environmental Health. The submitted Planning Statement confirms that no amplified music would be permitted externally, the patio area would operate only during restricted hours, and the patio access door would remain locked during periods of live entertainment. The applicant has also indicated that the patio would operate as a non-smoking area.
30. It is also noted that the application site is located within Netley Local Centre where a mixture of commercial, community and residential uses are present. Whilst neighbouring residential amenity remains an important consideration, the site is not situated within a wholly residential environment and therefore a degree of activity associated with established community and leisure uses can reasonably be expected.
31. A number of neighbouring residents and Parish Council have raised concerns regarding noise, disturbance and anti-social behaviour associated with the proposal. These concerns are acknowledged and have been carefully considered in the assessment of the application. However, significant weight must be afforded to the advice of the Council's Environmental Health Consultant, who is the Council's specialist adviser on noise and disturbance matters.
32. Whilst the proposal would introduce an outdoor seating area associated with the club, it is noted that the club is an established membership-based facility rather than an unrestricted public venue. The proposal relates to the operation of an existing established sports and social club rather than the creation of a new leisure or drinking establishment. Furthermore, the patio would operate only during restricted hours and would not permit amplified music or external entertainment. Taking these controls into account, together with the advice of the Council's Environmental Health Consultant, it is not considered that the

proposal would result in such a level of noise or disturbance as to justify refusal of the application. Accordingly, it is considered that the concerns which formed the basis of the previous refusal have been satisfactorily addressed through the amended proposal and the proposed operational controls.

33. Environmental Health have further advised that whilst the existing 1 metre high glass balustrade is acceptable for the purposes of the current application, any substantiated complaints arising from the operation of the patio area can be investigated through separate regulatory processes and additional mitigation measures can be required. Whilst this does not form part of the planning assessment of the current application, it provides additional reassurance that any future concerns can be appropriately investigated if they arise.
34. Given the previous refusal of a similar proposal, the concerns raised by local residents, and the reliance placed upon operational controls to make the development acceptable, it is considered appropriate that any permission granted should be temporary in nature for a period of three years. This would provide the applicant with an opportunity to demonstrate that the patio area can be managed appropriately and operated without causing unacceptable harm to neighbouring amenity before any permanent permission is considered.

Access, Parking and Transport Matters

35. The proposal would not alter the existing vehicular access arrangements serving the site, which would continue to be taken from New Road. Similarly, no changes are proposed to the existing parking provision associated with the club.
36. While the proposal may result in some additional use of the patio space, it would remain ancillary to the existing club use and would be available only to club members. It is therefore not considered that the proposal would generate a material increase in vehicle movements or parking demand.
37. HCC Highways have been consulted on the application and raise no objection to the proposal. Accordingly, it is considered that the proposal would not result in any unacceptable highway safety, access or parking impacts.

Sustainability Measures and Climate Change:

38. 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; (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.

39. 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. 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 reduce/limit impacts on climate emissions as a result of the development or its use.
40. 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:

41. 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.
42. 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:

43. In conclusion, whilst a similar proposal was previously refused under application F/23/94825 due to concerns regarding noise and disturbance to neighbouring residents, the current application has been subject to further consideration by the Council's Environmental Health Consultant, who raises no objection subject to restrictions on the operation of the patio area and the imposition of appropriate planning conditions.
44. The proposal would not result in unacceptable harm to the character and appearance of the area, highway safety, parking provision, or the amenities of neighbouring occupiers. Having regard to the planning history of the site, the representations received, and the advice of consultees, it is considered that the proposal accords with Policies DM1, DM8, DM13, DM14 and DM36 of the

Eastleigh Borough Local Plan (2016-2036).

45. Given the previous refusal history and local concerns regarding the operation of the patio area, it is considered appropriate that any permission granted should be temporary in nature for a period of three years to allow the effectiveness of the proposed mitigation measures to be demonstrated and monitored. Accordingly, the application is recommended for approval subject to the conditions set out above.

