

## DELEGATED OFFICER REPORT

**Application Ref:** H/26/101498

**Site Address:** HILVENOR, VICTORIA ROAD, NETLEY ABBEY, SOUTHAMPTON, SO31 5DR

**Case Officer:** Dorothy Hei-Tung-Hoh

**Description:** Retrospective application for the retention of an outbuilding in front of the dwelling and front boundary wall, including alterations to the vehicular and pedestrian access and removal of the vehicular access gates (Amended description)

| Particular Site Constraints?                                                                                           | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
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| <ul style="list-style-type: none"> <li>• Within Urban Edge</li> <li>• Within Netley Abbey Conservation Area</li> </ul> |                                         |                             |

| Planning History?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
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| <ul style="list-style-type: none"> <li>• H/18/84239 - Two Storey Side and Single Storey rear extensions, raising of roof to provide second floor living accommodation and alterations to fenestration - Permit - 07/12/2018</li> <li>• H/19/86019 - 2 Storey Front and Side Extension and Single Storey Rear Extension and Roof Fenestration Alterations and new front boundary wall - Permit - 06/12/2019</li> <li>• H/21/91162 - Two storey side extension, single storey rear extension, raising of roof with rear dormer and associated works including changes to fenestration and front boundary treatment following demolition of existing garage. - Permit - 04/11/2021</li> </ul> |                                         |                             |

| Publicity:       | Letters <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Site Notice <input checked="" type="checkbox"/> | Newspaper <input type="checkbox"/> |
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| Representations: | One comment was received, stating that the wall and entrance look attractive, traffic is not impeded when the gate is open and the outbuilding fits in well. The representation queries whether the development complies with the relevant regulations and whether it would set a precedent.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                 |                                    |
| Parish Council:  | <p><u>Original</u></p> <p>The Parish Council objected to the retrospective application on the grounds that the front outbuilding, boundary wall, gates and altered access were considered prominent features that failed to preserve or enhance the character and appearance of the Conservation Area. The Parish Council considered that the development harmed the street scene, reduced the openness of the frontage and was out of keeping with the established character of the area.</p> <p><u>Further comments</u></p> <p>The Parish Council raises no objection to the proposal. However, the Committee requests that the relevant authorities ensure that all works are correctly measured and carried out in accordance with the approved plans.</p> |                                                 |                                    |

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| Built Heritage Consultant: | The Built Heritage Consultant raises no objection. It is considered that the new front boundary treatment to be a suitable enhancement to the Conservation Area and advises that the outbuilding is acceptable provided it is appropriately screened by suitable planting that will establish and prosper.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| HCC Highways:              | <p><u>Original</u></p> <p>No objection in principle. Requested confirmation of the distance between the vehicular gates and the highway edge before issuing a final recommendation, seeking a minimum setback of 6.0m to allow vehicles to wait clear of the highway whilst the gates are opened.</p> <p><u>Further comments</u></p> <p>Following receipt of the amended drawing showing the gate setback, HCC Highways raises no objection. Although the setback measures approximately 4.95m, which is below the normal 6.0m standard, this is considered acceptable in this instance having regard to the site's specific characteristics, including relatively low pedestrian activity, the limited impact of any vehicle overhang and the generous width of the access which facilitates safe vehicle movements.</p> |
| Ecologist:                 | The Council's Ecologist raises no objection. As this is a retrospective application, the only remaining requirement is the provision of biodiversity enhancements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| <b>Site Visit:</b>                   | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| Details: 18 <sup>th</sup> June 2026. |                                                |                                    |

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| <b>Policy:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>National Planning Policy Framework</b><br/> <b>Planning Practice Guidance</b></p> <p><b>Development Plan:</b><br/> The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1, S2 and S8; and Development Management policies DM1, DM2, DM11, DM12 and DM14.</p> <p><b>Supplementary Planning Documents:</b><br/> Quality Places (June 2026); Parking Standards (September 2025); Netley Abbey Conservation Area Appraisal and Management Proposals (January 2010)</p> |

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| <b>Assessment:</b>                                                                                                                                                                                                                                                                                                                                       |
| <p><b><u>Site context and surroundings</u></b></p> <p>Hilvenor is a detached two-storey white rendered dwelling located close to the south-eastern end of the Netley Abbey Conservation Area. The dwelling has been updated and enhanced in recent years. The surrounding area comprises a mix of Victorian buildings and more recent redevelopment.</p> |

## **Proposal**

This is a retrospective application seeking planning permission for the retention of an outbuilding within the front garden, front boundary wall and associated alterations to the vehicular and pedestrian accesses.

During the course of the application, the proposal was amended to introduce additional evergreen planting and remove the vehicular access gates. As the amendments reduce the potential impact of the proposal and do not give rise to any new planning issues, it was not considered necessary to undertake a further round of public consultation.

## **Policy and Principle**

- The application site lies within an urban edge 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 application site is also located within the Netley Abbey Conservation Area. Accordingly, the proposal must preserve or enhance the character and appearance of the conservation area, with the acceptability of the development being assessed against its impact on heritage significance.

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

- 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 application seeks retrospective permission for the front boundary treatment and the front outbuilding. Whilst the boundary treatment introduces a more formal enclosure to the frontage than previously existed, it is constructed using traditional materials, including buff brick piers, which are considered to be compatible with the character and appearance of this part of the area. Furthermore, the amended scheme removes the vehicular gates, reducing the visual prominence of the frontage and creating a more open appearance when viewed from the public realm.
- The front outbuilding is modest in scale, finished in a dark colour and positioned where it is partially screened by retained evergreen planting. The proposed additional landscaping will further soften its appearance. Given its scale, design, colour and level of screening, it is not considered to appear as an unduly prominent feature within the street scene or to detract from the character and appearance of the conservation area.
- The Council's Built Heritage Consultant raises no objection, advising that the boundary treatment represents an enhancement to the conservation area and that the outbuilding is acceptable subject to the retained planting. Taking into account the specialist advice received, together with the amendments made during the course of the application, it is considered that the proposal preserves and enhances the character and appearance of the Netley Abbey Conservation Area.
- Whilst concerns have been raised that approval of the proposal may set a precedent for similar development within the Conservation Area, each planning application must be determined on its own individual merits.

### **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 retrospective development is located within the front garden of the site. The front boundary treatment is positioned adjacent to the highway and is set away from neighbouring dwellings. Whilst it provides a more formal enclosure than the previous boundary treatment, it remains comparable in nature, replacing the brick boundary wall. As such, it is not considered to result in an unacceptable impact on the living conditions of neighbouring occupiers.
- The front outbuilding is located adjacent to the front boundary of the site and is similarly set away from neighbouring dwellings. Owing to its modest scale, position, dark external finish and the retained evergreen planting, together with the proposed additional landscaping, it is not considered to give rise to an unacceptable sense of enclosure or overbearing impact. Furthermore, the outbuilding does not introduce any windows, and its only access door faces the front garden. Therefore, it would not result in overlooking, loss of privacy or any material loss of light to neighbouring properties.

### **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.
- The application has been reviewed by the Council's Ecologist, who raises no objection to the proposal. It is considered that the retrospective development would not result in unacceptable harm to protected species or habitats.

### **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.
- HCC Highways raises no objection to the proposal. Whilst the current access arrangement does not meet their preferred gate setback, having regard to the characteristics of the site and the surrounding highway network, Highways is satisfied that the proposal does not result in an unacceptable impact on highway safety.
- Furthermore, the amended scheme removes the vehicular gates, further improving the operation of the access.

### **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 2030; (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 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, 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 reduce/limit impacts on climate emissions as a result of the development or its use.*

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** ☐