

Application Number: H/23/96029
Case Officer: Claire Campbell-Best
Received Date: 18 September 2023
Site Address: GUILLEMOT HOUSE, 9 MARINERS CLOSE, HAMBLE-LE-RICE, SOUTHAMPTON, SO31 4PD
Applicant: Mr and Mrs Torrell
Proposal: Two storey rear extension, part two storey/part first floor side extension to include a new first floor rear terrace and alterations to existing fenestration. (Amended description and plans).

Recommendation: PERMIT subject to conditions

CONDITIONS AND REASONS:

1. The development hereby permitted shall be implemented in accordance with the following plans:

Proposed Site Plan	847/07/100 Rev A
Existing Floor Plans	847/07/101
Existing Roof Plans	847/07/102
Existing Elevations	847/07/103
Proposed Floor Plans	847/07/104 Rev A
Proposed Roof Plan	847/07/105 Rev A
Proposed Elevations	847/07/106 Rev B

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 materials to be used must match as closely as possible, in type, colour and texture those listed on approved plan 847/07/106 Rev B.

Reason: To ensure satisfactory visual appearance in the interest of the amenities of the area.

4. Prior to the first use of the first floor rear terrace, the 1.8m obscure privacy screening shall be implemented in accordance with the approved plans. These features shall thereafter be retained.

Reason: In the interests of protecting neighbouring amenities.

5. No excavation, demolition or development related works shall take place on site until a scale and referenced tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), is submitted and approved by the LPA. The approved tree protection plan must be adhered to in full and may only be modified subject to written agreement from the LPA.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

6. The development hereby permitted shall not be brought into use until a minimum of three car parking spaces have been provided within the curtilage of the site and thereafter maintained and kept available.

Reason: To ensure the adequate provision of on-site parking for the purpose of highway safety.

7. The development hereby permitted shall be implemented in full with the recommended ecological enhancements outlined in Section 5.6 of Preliminary Ecological Assessment and Preliminary Roost Assessment report by Hampshire Ecological Services (January 2024). This will include the installation of a built-in bat and swift brick/box and a 32mm hole bird box which should be attached to the exterior wall of the building as well as precautionary measures including supervised works and the limitation of noise during construction works and lighting thereafter works are complete.

Reason: To protect wildlife species

Note to Applicant: No vegetation is currently proposed to be removed to accommodate this proposal, however if this changes the guidelines in section 7 of the Preliminary Ecological Assessment and Preliminary Roost Assessment report by Hampshire Ecological Services (January 2024) must be followed in order to protect nesting birds.

Note to Applicant: The addition of flowering plants and/or shrubs would provide resources for pollinators, which would provide food for bats and birds.

Note to Applicant: It is requested that the building works are carried out considerately to minimise disruption to the occupiers of the neighbouring properties. The council operates a code of best practice,

which is available on the council's website www.eastleigh.gov.uk by following the links to Planning and Building, Building Control, then select 'Considerate Builders Advice Note'.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (September 2023), 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 Committee by Councillor Craig, Councillor Holes and Councillor Jarvis.

Site Characteristics and Character of the Locality

2. The application site is a two storey detached dwelling located on the southern side of Mariners Close with a cul-de-sac. The property has been extended over time and features a first floor rear conservatory and a ground floor rear extension with a balcony incorporated within the roof. The dwelling is set back from the road by a hardstanding driveway and front garden and a fully enclosed garden to the rear. There is a public footpath to the west of the site leading to public open space near the River Hamble.
3. The surrounding area is residential in nature and features properties of a similar design. Over time, numerous properties within Mariners Close have extended at first or two storey level, many of which have included balconies.

Description of Application

4. This application seeks permission for various works; including a two storey rear extension which would replace the existing first floor conservatory; rear terrace and ground floor rear extension and a part first floor/part two storey side extension located over and in front of the existing garage and would include a new terrace to the rear. There would also be alterations to the existing fenestration, this would include; the removal of the existing porch and replacing this with 1no. window and the removal of the rear garage door and replacing this with 1no. window and door. The works would include internal reconfigurations which would see the property become an 'upside down house' with the kitchen, dining and living room located on the first floor and two of the four proposed bedrooms located on the ground floor.
5. Amended plans were received which reduced the width of the part first floor/part two storey side extension and changed the roof form from a pitched to a hipped roof. Amendments to the proposed materials have

also been received; the external finishes would be a combination of matching brickwork (to the front) and white render to the rear elevation. The proposed rear terrace would be enclosed with 1m clear glass and railings along the southern side and a 1.8m obscured glazed screen along the eastern side.

6. The proposed two storey rear extension would be sited over the footprint of the first floor rear conservatory and ground floor rear extension and would not project any further into the rear garden. The proposed extension would maintain the ridge line of the host dwelling and would have a gable end facing south.
7. The proposed part first floor/part two storey side extension would extend partially over and in front of the existing garage to the east. The extension would be set back from the principal elevation and set down from the ridge of the host dwelling and would have a hipped roof. The two storey element would allow for a new garage and porch/entrance way to the front of the property and a utility and boot room to the rear. The first floor element would comprise a kitchen on the first floor and would see the incorporation of a new first floor rear terrace.
8. The new rear terrace would be enclosed by a 1m high clear glazed balustrade on the southern side and a 1.8m obscure screen on the eastern side.

Relevant Planning History

9. F/09/66258 – Extension of time limit for construction of two storey and single storey side extension and single storey front extension (F/04/52431) – Permit 22/01/2010
10. F/04/52431 – Construction of two storey and single storey side extensions and single storey front extension – Permit 30/11/2004
11. Z/32826/002/00 – Construction of conservatory at first floor level and first floor balcony to rear – Permit 16/01/1995
12. Z/32826/001/00 – Construction of conservatory at first floor level – Refuse 31/08/1994
13. Z/25680/001/00 – Ground floor side extension with balcony over – Permit 14/04/1982
14. Z/25680/000/00 – Ground floor extension with balcony over – Refuse 21/01/1982

Representations Received

15. Following two rounds of public consultation (on original submission and following receipt of amended plans), a total of 22 representations have been received, raising the following objections and comments:

- Overdevelopment
- Loss of outlook
- Loss of light
- Overbearing to nearby neighbours
- Visually intrusive
- Plans incorrect and do not show parking arrangement correctly
- Loss of parking
- Loss of views
- Negative impact upon the local ecology and environment
- Negative impact upon trees
- Working hours during construction should be 08:00 – 17:00
- Deliveries of materials should be after 08:00
- No bonfires on site
- If the foundations have to be piled then only between 08:00 – 17:00 and not and all on Saturday or Sunday
- Building Materials to be kept on site
- There should not be access to the site at the with machinery or materials across Hamble Parish owned land
- No parking on the grass pavement/verges

Consultation Responses

16. Hamble Parish Council: Objection.

Updated comments on amended plans received 28/11/23:

The Parish concluded that their current objections would stand and thus no further decision was required.

Comments on original plans received 24/10/23:

The Parish Council have read documents/letters and listened to comments and having taken all of this information into consideration, have agreed to object to this application on the following grounds, over development of the site, loss of public outlook, too close in proximity to neighboring property, loss of light, highways safety and parking considerations, concerns for possible damage to trees.

Ecology: No objection subject to conditions and further advice

Updated comments following review on ecological report received 11/01/24:

I have reviewed the PEA/PRA by Hampshire Ecological Services (January 2024). Although the building is classified as having negligible bat roost suitability under the latest BCT survey guidelines with two potential exterior roost locations which are unlikely to be used however, “some element of uncertainty remains as bats can use small and apparently unsuitable features on occasion”. “Therefore as a precautionary measure the lead-flashing over the join between the house and the garage on the east side of the house, as well as the warped part of the fascias (see Image 4.3.1.2 in Section 4.3.1), should be carefully removed by hand under ecological supervision.” This will require a temporary bat box to be set up to provide an alternative roost for any bats found.

The garage has been classified as having negligible bat roost suitability with no potential roosting features so works affecting the garage (other than the flashing) can proceed without further survey or constraints regarding bats, subject to planning permission.

The hedges and trees provide foraging opportunities for bats and habitat for nesting birds. No lighting should be directed onto retained vegetation and any lighting required for security purposes should operate on a timer to avoid any negative impact on bats. No building works should take place during darkness or under artificial lighting. No lighting must shine in the vicinity of the bat box, including light spill from adjacent windows.

No vegetation is currently proposed to be removed to accommodate this proposal, however if this changes the guidelines in section 7 of the report must be followed to protect nesting birds.

Biodiversity enhancements recommended for this site include a built-in bat brick/box and a built-in swift brick/box. In addition, a 32 mm hole bird box will be attached to the exterior wall of the building.

Noise will be limited and no loud percussion machinery or plant exceeding 70 dB shall be used beyond the site boundary. If this is not possible then works exceeding this sound limit will only take place between April and August to avoid impact on brent goose populations. This includes excessive vehicle revving, reversing alarms, certain power tools and loud percussive noises such as from concrete breaking or piling. Noise from works within the site boundary will be screened by the high fences of the rear garden and trees just outside the boundary.

The photos of the garden show that it consists of mown lawn only. The addition of flowering plants and/or shrubs somewhere on the property, such as in the front garden, would provide resources for pollinators, which would provide food for bats and birds.

17. Trees: No objection, subject to condition.

Given the area to be developed is already developed, and a suitable distance from nearby trees, we have no issues with the principle of development. However, we would have some reservation regarding construction access and activities impacting the root systems of trees off site. Therefore, we would request a tree protection plan to be submitted under Condition (or before).

If you are minded to approve the proposal, please condition the following:

No excavation, demolition or development related works shall take place on site until a scaled and referenced tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), is submitted and approved by the LPA. The approved tree protection plan must be adhered to in full, and may only be modified subject to written agreement from the LPA.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

18. Asset Management: No objection.

19. Environment Agency: No comments received.

Policy Context and Designations Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area
- Close to a Site of Nature Conservation Interest

Development Plan Local Plan Policies

Eastleigh Borough Local Plan 2016-2036

20. The Eastleigh Borough Local Plan 2016-2036 has full weight. The most relevant policies are:

Strategic policies

- S1 (Delivering sustainable development);
- S2 (Approach to new development);

Development Management Policies

- DM1 (General criteria for new development);
- DM2 (Environmentally Sustainable Development);
- DM11 (Nature Conservation);
- DM14 (Car Parking).

Supplementary Planning Documents

- Quality Places (November 2011);

- Residential Parking Standards (January 2009);
 - Character Area Appraisals for Bursledon, Hamble-le-Rice and Hound (January 2008)
- Planning Obligations (July 2008, updated 2010).

National Planning Policy Framework

21. 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 National Planning Policy Framework (the 'NPPF' or the 'Framework') 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.

National Planning Practice Guidance

22. 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.

Principle and Principle:

23. The proposals are acceptable in principle in accordance with Policies S1 and DM1 of the Local Plan. The main considerations relate to the recent appeal decision, design, appearance and impact on residential amenity, as addressed within this report.
24. The application also has planning history; planning permission was granted in 2004 for a two storey and single storey side extension and single storey front extension and this was extended in 2009. The works were not implemented and planning permission for this scheme has expired.

Layout, design and impact upon the character of the area

25. 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.
26. The development proposed, upon receipt of amended plans is now considered to be acceptable in terms of its form, scale and appearance. The reduction in width and change in roof form to the proposed first floor/two storey side extension is welcomed and would

maintain the space between the host dwelling and the neighbour to the east, no 8 Mariners Close. Additionally, the proposed extension would be set well back from the principal elevation and set down from the ridge of the host dwelling. This results in a subservient appearance, further reinforced with the use of matching material to the front elevation.

27. There are a few examples of first and two storey side extensions within the close that have successfully blended into the street scene. It is considered this element of the proposal is in keeping with the context of the surrounding area and it would not be overly prominent within the street scene.
28. It is also important to note the planning history of the site. Planning permission was granted for a slightly smaller two storey side extension in 2004 and this permission was renewed in 2009. While the works were never implemented, it must be acknowledged that comparable built form has been permitted in the past and the planning history is a material planning consideration.
29. The two storey rear extension, as noted would replace the existing first floor rear conservatory and ground floor rear extension. During the site visit, it was noted the conservatory in particular was tired and in need of repair. The proposed rear extension would utilise the established footprint of these rear additions and would look to achieve a cohesive appearance more in line with the host dwelling, rejuvenating the rear elevation. It is acknowledged that while the extension would not project further into the rear garden, the roof line would be altered to maintain and match the host dwelling, adding additional bulk at roof level. While this lacks subservience, the extension would be located towards the rear of the dwelling and would not be overly visible from the street scene within Mariners Close.
30. The proposed rear terrace would be in keeping with the other rear balconies seen within the area in terms of scale, appearance and materials. It would not result in a prominent addition to the property or the wider surroundings.
31. The introduction of white render to the two storey rear element would be a new material to the host dwelling, however this would be to the rear of the property and would not be overly dominant. The host dwelling would have brick as the most established material; therefore the property would retain the character of the property and the locality. The use of white render is also seen within the locality, as such, the use of the material is considered acceptable.
32. To conclude, the proposal overall is considered to be acceptable and in accordance with national and local planning policies from a design perspective.

Residential Amenity

33. Policy DM1 of the Eastleigh Borough Council 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.
34. The neighbours most impacted as a result of the proposed works would be the adjoining neighbours, nos. 8 and 10. The proposed first floor extension would project 3.8m closer to no. 8 but would also be 4m away from the main building (there are two garages between the buildings).
35. Concerns have been raised the first floor element would impact significantly upon no. 8. A site visit to this property was carried out; it was noted no. 8 has 2no. first floor and 2no. ground floor side windows that face the application site. During the visit, it was ascertained that the first floor windows serve a bathroom and hallway which are considered non-habitable rooms and the ground floor windows serves a W.C (a non-habitable room) and a kitchen.
36. The only view from the neighbour's kitchen window is the flank elevation of no.9's garage. The kitchen has another window and door which faces south, combined they are considered the primary source of light for this room. It is acknowledged the outlook and light from these windows would be slightly reduced as a result of the development. However, given the current outlook from these windows and the rooms of which they serve and their orientation (west facing), the proposed side extension is not considered to adversely impact upon no. 8.
37. There are also concerns the proposed rear terrace would impact upon no. 8's privacy. Many of the properties within Mariners Close have rear terraces/balconies that mostly face south to enjoy views of the River and is an accepted feature within the locality. It is acknowledged the rear terrace would be located closer to no. 8, however, the 1.8m obscure would ensure the neighbour's privacy is protected, this would also be secured by condition. It was noted on the visit the rear balconies to the properties along this section of Mariners Close unavoidably look onto other neighbouring rear balconies and gardens. It is considered the proposed terrace with the introduction of an obscure screen would not increase the levels of overlooking upon nearby neighbours to an unacceptable degree when compared to the existing terrace and the relationship that already exists between these neighbours.
38. The occupants of no. 10 have also expressed concerns that the outlook from their bedroom windows would be impacted upon due to the two storey rear extension due to the orientation of their property. It is noted

the altered roof would add additional bulk and slightly reduce the outlook for this neighbour, however there is a significant distance of over 14m between the two dwellings to mitigate this reduction.

39. The development as a whole, proposes windows mainly to the front and rear of the property which either face the street or the rear garden as well as rooflights which are above eyelevel. The two storey rear extension proposes ground and first floor windows to the west elevation that would have an oblique view into the windows of no. 10. The ground floor window would be screened by the existing rear boundary treatment. The first floor window would be in the same location as the glazed rear conservatory and would have the same views between windows as the current situation. Due to the existing relationship, the proposed first floor window is not expected to create any additional privacy or overlooking concerns in relation to no. 10.
40. Neighbours within Mariners Close and further away have objected to the loss of views due to the side extension. However, it must be clarified that loss of views are not a planning material consideration and these objections cannot be considered. What can be considered is the remaining space between nos. 8 and 9. Initially, the original submitted plans closed the separation distance between the dwellings which resulting in a cramped appearance, affecting the visual amenity currently experienced. The amended plans have widened the space between the properties and better relates to the general pattern of development seen within the close while ensuring there is still visual amenity within the surrounding area.
41. The neighbours have also commented on the use of construction vehicles and working hours to complete the works. A considerate builder's note will be advised to the applicant in order to ensure building works will not be unacceptably disruptive.
42. Neighbours have also made concerns on the use of piling during construction work. This is a matter for Building Control, should the application be submitted, the plans would be subject to a full Building Regulations assessment where these issues would be considered and dealt with fully under Building Control legislation.
43. Overall and to conclude, the proposal is not considered to have a detrimentally harmful impact upon the amenities of the nearby neighbours.

Ecology and Trees

44. Policy DM11 requires planning applications to protect, conserve and enhance all international, national and local nature conservation designations; and networks of natural habitats and features.

45. The Council's Ecologist requested an ecological impact assessment due to the site being in close proximity to protected ecological areas and wildlife. The Preliminary Ecological Appraisal and Preliminary Roost Assessment by Hampshire Ecological Services was received 11 January 2024. This was reviewed by the Council's Ecologists who concluded they were content with the recommended enhancements and precautionary measures set out in the report. The enhancements include the installation of built-in bat and bird brick/boxes and the precautionary measures include some works being supervised by an ecologist and the limitation of noise during building works and lighting limited during and thereafter works are complete. These enhancements and measures will be secured by condition. Biodiversity enhancements will also be advised by way of an informative attached to the permission.
46. There are two significant trees located close to the application site, while the trees are not protected, they provide visual amenity to the locality. The Council's Tree Officer concluded as the area to be developed is already built upon and the location of the proposal is a suitable distance from the nearby trees they have no issues with the development. They recommended a tree protection plan pre-commencement condition be secured to ensure the roots of the trees are protected during construction.

Access, Parking and Transport Matters

47. 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.
48. The property would remain a four bedroomed property with the development in place, which requires three off-street parking spaces as set out in the Residential Parking Standards SPD. While there are no additional bedrooms, it is acknowledged the proposed garage does not meet the standard minimum space requirement (6m x 3m measured internally) and therefore cannot be considered to provide off-street parking.
49. The Parish Council and neighbours have raised concerns regarding parking, the site plan submitted with this application indicates the three required off-street parking spaces would be accommodated to the front of the site. This would be achievable by utilising the front garden under the applicant's permitted development rights to install a driveway provided the limitations of the legislation are adhered to.
50. It is noted the Close itself has limited on-street parking, therefore in order to ensure that highway and parking concerns are alleviated, a condition will be applied to ensure the required three parking spaces are within the curtilage of the site and is maintained and kept available.

Sustainability Measures and Climate Change:

51. 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.
52. 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.
53. 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. The proposal would provide cycle storage provision, which would help encourage the use of alternative means of transport to the private car and would be constructed of natural materials. The proposal is considered to accord with climate change policy objectives.

Equalities Implications:

54. 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.

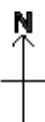
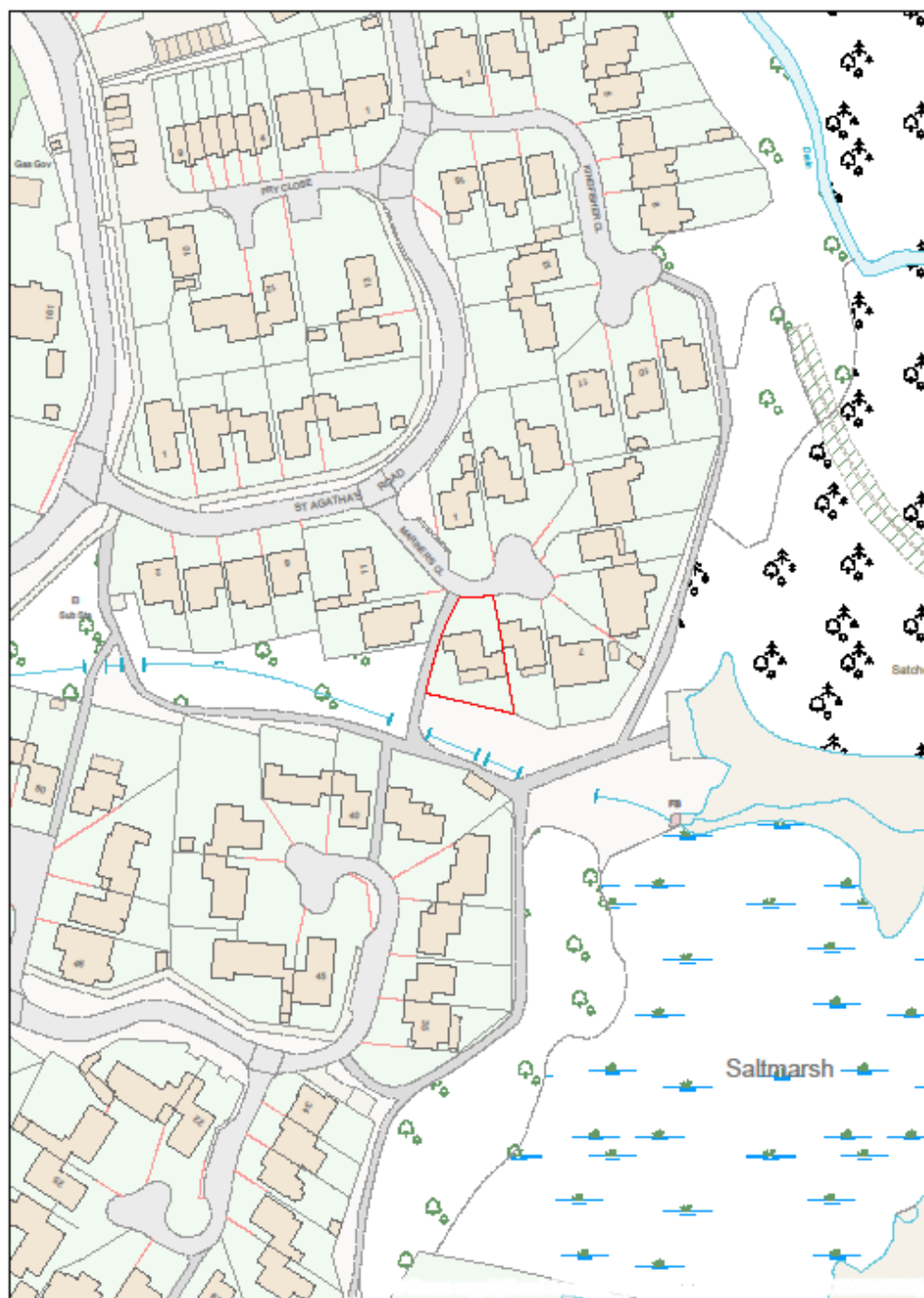
55. When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

Conclusion

56. In conclusion, the proposal is considered to be acceptable in terms of design, scale and location. It would not adversely affect the appearance of the street scene. In addition to this, the proposal would not have an unacceptable impact upon the amenity of the neighbouring residents or impact on protected species. For these reasons, the proposal is recommended for approval.

57. The proposal is considered to accord with the relevant policies of the Eastleigh Borough Local Plan (2016-2036), and to guidance contained in the Councils adopted SPDs and to the National Planning Policy Framework 2023.

H/23/96029



Address: GUILLEMOT HOUSE, 9 MARINERS CLOSE,
HAMBLE-LE-RICE, SOUTHAMPTON, SO31 4PD

Date: 15/01/2024 | Scale: 1:1250

