

Bursledon, Hamble, and Hound Local Area Committee 25th January 2024.

Application Number: H/23/96050
Case Officer: Clare Martin
Received Date: Wednesday 20 September 2023
Site Address: 20 CROWSPORT, HAMBLE-LE-RICE, SOUTHAMPTON, SO31 4HG
Applicant: T Kilby
Proposal: Erection of first floor extension with roof terrace and single storey side extension

Recommendation: PERMIT

CONDITIONS AND REASONS

- 1 The development hereby permitted shall be implemented in accordance with the following plans numbered: P01, P02, P03, P04, P05, P06, P07, P08, P09, P10, P11, P12, P13, P14revA, P15revA, P16revA, P17revB, P18revB, P19revB, P20revB, P21revB, P22revB, P23revB, P24revB, P25revB & P26revA,
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 in the construction of the external surfaces of the development hereby permitted shall match in type, colour, and texture those used on the existing dwelling.
Reason: To ensure a satisfactory visual relationship between the new development and the existing.
- 4 The first floor extension shall not be occupied until a 1.8m high obscure glazed privacy screen has been installed along the south-west (side) elevation of the covered balcony and thereafter retained.
Reason: To protect the amenity and privacy of the adjoining residential properties.
- 5 The first floor office window on the south-west elevation shall be obscure glazed to Pilkingtons level 3, or equivalent, and shall not open towards the dwelling at 19 Crowsport.
Reason: To protect the amenity and privacy of the adjoining residential properties.
- 6 Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (July 2021), 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.

- 7 Note to Applicant: 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-withbats/ive-found-a-bat-during-works>

Note to Applicant: It is recommended that:

- Bat bricks/boxes and swift bricks/boxes are incorporated into the development. Built-in roost/nest sites are preferable to externally mounted boxes as they do not fall off and do not require maintenance.
- New landscaping includes flowering and fruiting plants and shrubs rather than conifers to provide opportunities for invertebrates and other wildlife.
- Any trees or shrubs that might support nesting birds should be removed outside of nesting bird season (which is from March through August) or under the supervision of a suitably qualified ecologist. If an active nest is found, all work must stop, and the nest must be protected from disturbance by a 5 m buffer until after the young have fledged and left the nest.

Report:

This application has been referred to Committee by Councillor Craig, Councillor O'Sullivan, Councillor Jarvis, Councillor Holes & Councillor Cross.

Site Characteristics and Character of the Locality

1. The application site is within the urban edge, located in the Crowsport Estate at the northern end of the Hamble Conservation Area. Crowsport was built in 1936 as an art deco estate of twenty five single storey dwellings of white render, with flat roofs, parapets, and simple metal windows. Over the years many of the bungalows have added first floor extensions and terraces in the art deco style.
2. The property is positioned towards the northern end of the Crowsport Estate, where it is predominately surrounded by two storey dwellings, including the immediately adjoining properties at no's 19 & 22. The bungalow to the west (no.18) has recently had permission for a first-floor extension and terrace, although this has yet to be constructed (H/23/94973) and an amended application has recently been received.
3. The current property is a single storey dwelling, orientated with its smaller side elevation facing the road. The dwelling faces north-west where it has a

driveway leading up to the entrance and on the south-east side is an enclosed garden. There is a small section of white rendered wall/ fence followed by a 1.8m high hedge marking its long boundary with the access road.

4. The site follows the general topography in the locality, steeping down from west to east towards the river Hamble, so that the dwelling sits approximately 2m lower than the property at no.19.

Description of Application

5. The application is to install a first floor with roof terrace on the existing single storey dwelling. The first-floor extension is located towards the back of the building and is in an art deco style with a parapet wall. The first-floor extension includes a lounge with access onto an enclosed balcony on its south-east side and a large terrace on its north-east side. The extension measures 9.4m(width) by 10m(depth) and will increase the height of the property from 4m to 6.5m.
6. Also included in the proposal is:
 - A single storey infill extension behind the garage, measuring 3.3m width by 2.5m depth.
 - 18no. solar panels mounted to the roof of the first-floor extension.
 - Re-positioning of the vehicular access 10m further east, in front of the garage.
 - Tidying up the frontage with new planting and a rendered wall along part of the front boundary.

Relevant Planning History

7. Planning permission was granted in 2006 for a first-floor extension at the property. The extension is a comparable size to the current proposal although it was to be located towards the front of the property with a terrace to the rear. While the planning permission has expired, it nevertheless remains a material consideration in the assessment of the current proposal.

Application Site

- F/06/57840 - Two storey and first floor extension – Permitted (October 2006). The time limit for implementing the permission was later extended until February 2016 (under C/09/66106 & C/13/71906).
- Z/13725/001 - Addition of parapets, railings, and external stairway to provide first floor balcony and erection of single storey side extension following demolition of existing conservatory – Permitted (March 2000)
- Z/13725/002 – Construction of single storey side extensions – Permitted (April 1999)

- Z/13725/001 - Rebuilding of dwelling after severe fire damage – Permitted (May 1978)

Adjoining Dwellings

8. There have been a number of first floor extensions and terraces permitted on dwellings within Crowsport estates, the nearest properties being:

18 Crowsport

- H/23/94973 - Remodelling of existing bungalow to provide new first floor accommodation. Ground floor extension and reconfiguration, creating a 5no. bedroom property with integral garage – Permitted (June 2023)
- F23/96301 - Erection of a two storey 5x bedroom house with integral garage, first floor roof terraces and landscape alterations, following demolition of existing dwelling, as per details of the previously approved Householders Planning Application – Under consideration

19 Crowsport

- F/06/56512 - Construction of single storey front & side & first floor extensions with front boundary, following demolition of existing garage & entrance porch – Permitted (August 2006)

22 Crowsport

- F/06/56512 - Construction of single storey front & side & first floor extensions with front boundary, following demolition of existing garage & entrance porch – Permitted (May 2006).

Representations Received

9. The application received three letters of support, which considered that the proposed design compliments the Crowsport Estate and fits in well with the other developments.
10. The application also received one objection and two comment letters, which raised the following issues:
 - Overlooking from first floor extension and roof terrace into properties at no.19 & no.22. It is requested that windows on south-western elevation are obscure glazed, and a screen added to the southern end of the covered balcony.
 - The driveway would be opposite the access to no.11.
 - Questioning whether the parapet wall obscures views of the solar panels.

Planning Officer Response

- The comments and suggestions regarding overlooking and access changes are noted and will be considered within the assessment section.

- It is down to the applicant to ensure that the solar panels are not obscured by the parapet wall as this is not a material planning consideration.

Consultation Responses

Built Heritage Consultant – No objection

11. The amended plans look much better. The design of the south-eastern balcony is closer to the original ethos and the amendments give a 'lighter' feel to the canopy and hence more elegant.

Ecology Officer – No objection

12. There are records of bats, swifts, and hedgehogs near this property. However, the building is unlikely to support roosting bats and the proposal should not harm protected species. The consultation provides advice for biodiversity enhancements and protecting nestling birds during construction.

Parish Council - Comment

13. The application should be made conditional on the first floor south-west elevation window being obscured glazed, and a screen added to south part of the proposed terrace to protect the neighbour's privacy.

Development Plan

Eastleigh Borough Local Plan 2016-2036

Strategic policies:

- S1 (Sustainable Development);
- S2 (Promotion of New Development);
- S8 (Historic Environment);

Development Management policies:

- DM1 (General Development Criteria);
- DM2 (Environmentally Sustainable Development);
- DM3 (Adapting to Climate Change);
- DM11 (Nature Conservation);
- DM12 (Heritage Assets);
- DM14 (Car Parking);
- DM23 (Residential Development in Urban Areas);

Hampshire Minerals and Waste Plan

14. No relevant policies

Supplementary Planning Documents

- Quality Places (November 2011);
- Residential Parking Standards (January 2009);
- Biodiversity (December 2009);
- Hamble Conservation Area (July 2007);

National Planning Policy Framework

15. 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.
16. 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.
17. Paragraph 11 of the NPPF relates to the presumption in favour of sustainable development, with sub-paragraph c) ii) relating to the decision-taking process, noting that development which accords with an up-to-date development plan should be approved without delay.

18. National Planning Practice Guidance

19. 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.

20. Assessment of Proposal: Development Plan and / or Legislative Background

21. 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 2016-2026 and the Hampshire Minerals and Waste Plan 2013

(which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

22. For designated heritage assets, The Planning (Listed Buildings & Conservation Areas) Act 1990 stipulates:
23. "In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area" Section 71(1).

Principle

24. The site is within the urban edge, whereby the general principle of development is acceptable, subject to the details of the development according with the relevant planning policies.

Design and Heritage Assets

25. Policy DM1 requires all new development to take full and proper account of the context of the site including the character and appearance of the locality, and be compatible in terms of mass, scale, layout, design, and siting.
26. The site is also within the Hamble Conservation Area, which was extended in 2008 to include the Crowsport Estate. Policy DM12 allows development within conservation areas where they do not harm or detract from the significance or special interest of the asset and sustains and enhances its special character and qualities.
27. The proposal has been designed to meet the Crowsport guidance, set out within the Hamble Conservation Area Appraisal. The first floor extension is white rendered and has a flat roof with a parapet and simple rectangular windows. The area of the first floor extension is under 50% of the ground floor area (at 43 %) and is positioned at the back of the property with the first floor terraced closest to the road. The recessed position of the first floor extension will make it less prominent within the street scene and so is an improvement on the previous planning permission.
28. Amended plans have been received which simplify the covered balcony (on the southern east side) using a lighter structure that complements the design of the first floor extension. No objection has been raised by the Built Heritage Consultant.
29. The remaining elements are relatively modest. These include installing solar panels to the property's flat roof, which would not be noticeable from street height. Constructing a small single storey infill extension behind the

garage. Adjusting the vehicular access so it is next to the garage and tidying up the property's frontage with new landscaping and a white rendered boundary wall.

30. Overall, the proposal is considered to reflect the scale, massing, and design of properties within the Crowsport Estate and will blend in with the mixture of first floor extensions and terraces present on many of the surrounding dwellings. The proposal meets the Crowsport development guidelines and is considered to preserve and enhance the conservation area.

Residential Amenity

31. Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon amenities of existing residents, by way of a loss of light, outlook, or privacy. Additional residential amenity guidance is provided within the Council's Quality Places SPD.
32. Many of the surrounding properties have first floor extensions with terraces and these form part of the established character of the Crowsport Estate. The proposed first floor extension is positioned where it will not unacceptably harm the outlook or light received by the adjoining dwellings and has been designed with large windows and a terrace orientated north-east, looking towards the river.
33. The first floor extension also has a row of tall lounge windows, and covered balcony, on the south-east elevation. This elevation looks over their garden and is angled onto the first floor windows and terrace at no.22. While the residents of no.22 are concerned about overlooking and outlook, the parapet wall of their own terrace is roughly level with the top of the new first floor windows, and this will afford the neighbouring residents a reasonable degree of privacy and outlook.
34. The other two elevations have only a few first floor windows and these tend to be smaller secondary windows. The study window on the south-west elevation will be obscure glazed, and a privacy screen added to the side of the balcony, to prevent overlooking into the garden of no.19.
35. To the immediate west of the site is the bungalow at no.18, which has been granted permission for a first floor extension and terrace. Even with the neighbours approved first floor extension, there would be limited overlooking between the two properties, as the approved extension has only one small first floor window facing the application site and the approval includes a privacy screen along its terrace's eastern boundary.
36. In conclusion, the proposal is not considered to unacceptably harm the residential amenities of the neighbouring properties and so accords the requirements of DM1.

Car Parking and Access

37. Policy DM13 requires all new development to have a safe and convenient access to the highway network, with Policy DM14 requiring an appropriate level of on site car parking be provided in accordance with the Council's adopted standards.
38. The proposal involves moving the existing vehicular access 10m to the east, so it comes in front of the garage. While the new position will be opposite the vehicular access for no.11, it is not considered to pose a highway safety risk given the relatively few car movements associated with the two properties onto what is a low traffic private road.
39. In terms of car parking, the property's driveway and garage can accommodate at least two car parking spaces and so meets the Council's residential parking standards for three bedroomed dwellings. 

Biodiversity

40. Policy DM11 states that development will not be permitted if it is likely to have a direct or indirect adverse effect on priority habitats, protected or priority species.
41. In this case, the householder extension will not directly or indirectly impact upon a designated nature conservation site and is unlikely to impact upon any protected species. No objection has been raised by the Ecology Officer and the ecology suggestions have been included as a note to applicant.

Other Considerations

Climate Impact and Sustainability

42. 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.

43. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. It is not part of development plan or emerging plan policy, but it is a material consideration to be considered alongside all other material considerations.
44. 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. While the proposal does not provide specific sustainable measures, a condition will be imposed to ensure that water consumption for the new dwelling is no more than 110L per person/ per day in line with Policy DM2 of the Local plan.
45. The proposal incorporates solar panels, which as a renewable energy source has a positive effect on climate change.

Equalities Implications:

46. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states: -
- a. A public authority must, in the exercise of its functions, have due regard to the need to:
 - i. eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act;
 - ii. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - iii. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
47. 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

48. The proposal is considered to comply with planning policy in that it preserves and enhances the Hamble Conservation Area and will not unacceptably impact neighbours' residential amenity, car parking or the ecological interests of the site. The proposal is therefore recommended for permission.

