

FAO: Ms Clare Martin
Planning Department
Eastleigh Borough Council
Eastleigh House
Upper Market Street
Eastleigh SO50 9YN
7th February 2024

Dear Mrs Martin

Letter of Objection 15 Crowsport, Hamble-le-Rice, Southampton, SO31 4HG – application no. H/24/96692

Please accept this letter as a strong objection to the above application seeking consent for the erection of a first-floor extension with a roof terrace and single-storey side extension. Our Concerns about planning legislation, precedent, and legal rights, focus on :

- Overlooking
- Loss of Light/daylight and sunlight
- Outlook / overbearing
- External design layout and appearance
- Submission errors and omissions
- Design, sustainability and access statement

We are seeking; withdrawal or refusal of the application pending further assessment, consultation and significant amendments. We note the amended drawings issued on 6th February (26 days after original submission and 2 days prior to the end of consultation)

We consider there are sufficient grounds to refuse this application as submitted based on harmful impacts to our amenity from overlooking both our rear garden and habitable living accommodation.

Our statement

We are the owners of no. 16 Crowsport, which is an adjoining neighbour to the application site. We are good friends with our neighbours the applicants. We wish to set out our concerns.

Crowsport comprises a small, pre-war, estate comprising a mixture of low level single-storey and two-storey buildings of a uniform, Art Deco, style. Typically, the houses are contained on small plots and care should therefore be undertaken to ensure that any new development not only sits well on the plot but also protects neighbouring residential amenities.

In this regard, it is noted that policy **DM1 of the Eastleigh Borough Local Plan (2022)** seeks to ensure that all new developments do not have an unacceptable impact on the residential amenities of both new and existing residents and the character and appearance of urban areas.

The application site is to the immediate southwest of 16 Crowsport, which comprises a part-completed two-storey home - approved under planning **C/16/78927 (9/9/2016)**

Concerns are raised with specific reference to the potential for overlooking as a result of the first-floor extension, balcony and roof terrace to the primary habitable rooms windows and primary garden areas to no 16 Crowsport. The proposed development comprises the following elements:

The proposal includes

1. the raising of the existing roof height to 2.7m
2. the addition of A large wrap-around roof terrace covering the east, south and west aspects
3. the addition of a substantial accommodation block in the centre of the terrace - creating a 5-6 Bed Home
4. The proposed terrace ranges between 4m and 18 m from the first-floor terrace to no 16 Crowsport and some 14m from habitable living room windows.
5. A large area described as “Landing/Gallery at the top of the staircase and terrace entrance directly overlooks our bedrooms, living room and garden - and seems a natural gathering space indoors and outdoors.

Overlooking

The proposed first-floor accommodation is a master bedroom and “landing/gallery’ shown as a seating area on the drawings. These rooms have direct access to a roof terrace facing Hamble Marina. It is likely that material overlooking or direct views into habitable accommodation **may** occur due to the first-floor living accommodation. However, the roof terrace **will** result in overlooking our living room and garden. This element of the proposal directly faces our garden and would allow uninterrupted and unconstrained views across the extent of that south-facing area of the garden. This area has decking and an outside dining area with direct access from our lounge. It also includes a play and amenity area including a tree swing.

Figure 1 below is taken from the Design Sustainability and Access Statement and demonstrates the extent of the overlooking resulting from the proposed first-floor extension. At its closest, the proposed terrace is approximately 4m from the shared boundary and 5.5m from the closest facing elevation of our property. This elevation contains full-length windows to the two bedrooms and lounge area on our south elevation.

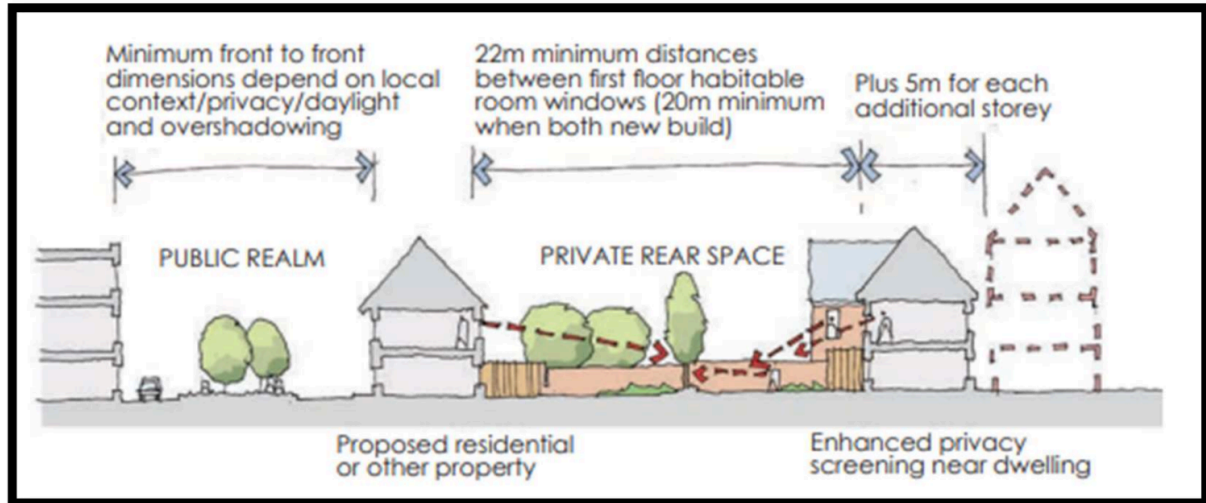
Furthermore, direct views into the ground floor bedrooms on our south elevation from the terrace cannot be ruled out, given the proximity and orientation of the two properties. Indeed our own planning consent (2016) was amended to require 1.8m high privacy screens on the roof terrace “to preserve the privacy and amenity of the adjoining occupiers” and to provide a balustrade along the intended position of the first floor walls to discourage use of the roof until the planning consent was fully implemented.

The loss of privacy would be most acute in the lounge area and south-facing garden with the full-height glazed wrap-around windows potentially leading to views of the occupants of that room and in turn views back to the roof terrace.

The **Council’s Quality Places SPD (November 2011)** states that balconies would be inappropriate for most existing dwellings due to an unacceptable loss of privacy to adjoining properties. We recognise Crowsport is an exception to this and the presence of a number of roof terraces in the area is a material planning consideration. Several planning applications which introduce roof terraces have been approved subject to planning conditions restricted to control privacy and amenities. No 15 has the benefit of being on the corner of the Crowsport estate and therefore has several options for a terrace which doesn’t look any garden. It already commands exceptional river views from the ground

floor. The original layout of the Crowsport estate did take into account the issue of overlooking and carefully considered the location of single storey buildings so as to avoid any overlooking .

This planning application has not demonstrated what design features have been employed to avoid adverse harm to neighbours' amenities and privacy resulting from the proposed roof terrace/balcony. Page 32 of the SPD is particularly relevant as it states that overlooking is a particular problem on "sloping sites", which is the case in this instance. In addition to clearly setting out the "22M rule " **Diagram D1 - SPD guidance on 22M rule**



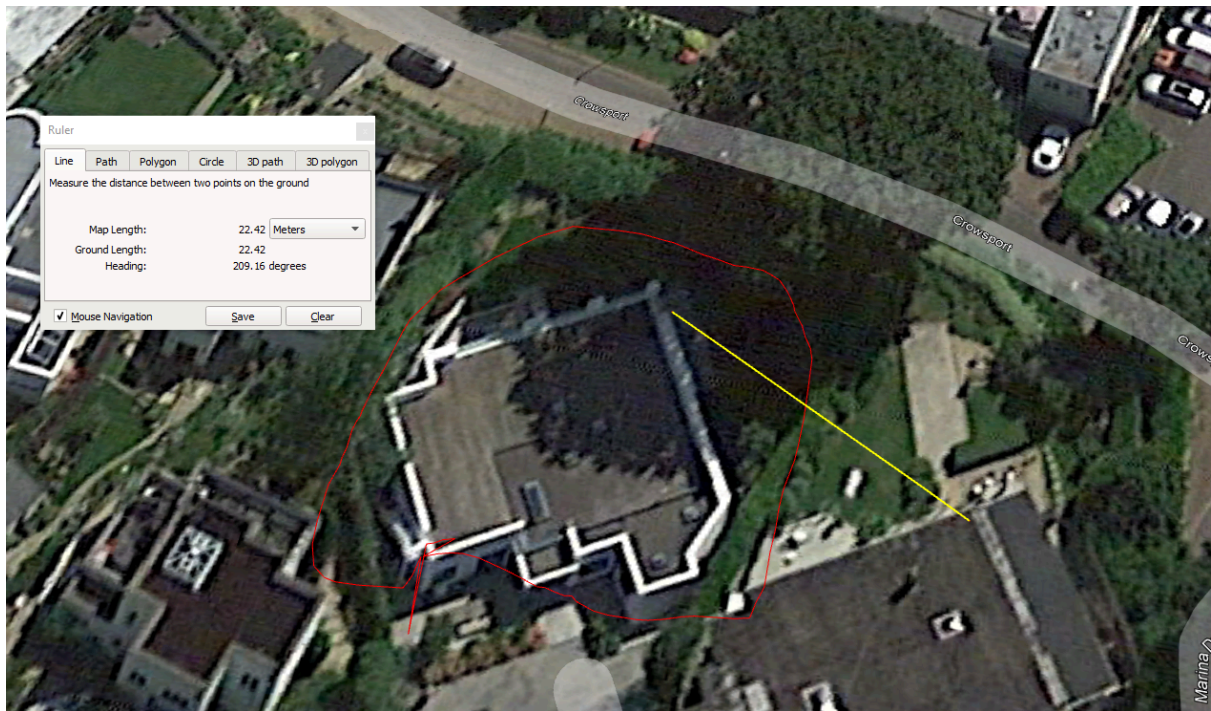
We believe harm may also occur from overlooking the front of our property. The proposed ground floor windows will be screened by the 1.8 m boundary fence - in part so that we are not looking into No15's new bedrooms from our front garden

Further impact

The maximum distance between the proposed 1st-floor windows and terrace and that of the existing ground-floor windows at 16 Crowsport is as little as 4 m at best 18 m.

The development clearly fails to meet minimum privacy distances in this regard and it will result in overlooking no 16 Crowsport. It is noted that the applicant's design statement includes photographs of the wider area but not of the direct context of No's 15 and 16 side by side, or as viewed from the river, given the prominence of 15, 16 and landmark oak tree

Of the many obvious impacts of such close proximity - including loss of privacy is the significant increase in ambient light from both the balcony and habitable 1st floor - this will in essence introduce a new night light impact onto both the garden and dining area externally and the living room internally. We suggest restrictions on fixed night lighting on any future terrace.



Distance from 15 Crowsport terrace to 16 Crowsport living room sliding window 22m

Overshadowing/loss of light

The shadow diagram provided to us demonstrates no material overshadowing our garden. This is due in part to No. 16 property lying north of No. 15.

In terms of loss of light, the windows likely to be most affected by this application are the bedroom windows on the south elevation of No 16. A rough calculation using the '45° rule' appears to demonstrate that there will be no material loss of light to the bedroom windows from the proposed extension at no.15. We would ask the applicant's architect to demonstrate the proposal will not result in a loss of light to those windows through the provision of 'daylight drawings' as described in the Council's Quality Places SPD. and for this to be complete prior to the application being determined.

Outlook/overbearing

Whilst this generally relates to how the height, mass and bulk of additional built form as is experienced from a neighbouring property. The relationship between no 16 and no.15 is demonstrated in 'Proposed Sections A-A & B-B' (dwg: P22) where you can partially see how much lower no.16 sits compared to no.15.

It also demonstrates their very close proximity to each other. The chosen section omits the first-floor terrace. Whilst it will be possible to see the proposed first-floor extension from our garden and from the ground-floor windows, it is unlikely to be an overbearing impact.. Which is different to overlooking as mentioned above.

However, the activity generated from people gathering on the roof terrace, throughout the day and particularly later into the evening, when in such close proximity to a private rear garden, south-facing terrace and habitable accommodation could in itself feel overbearing and intrusive, causing material harm to our privacy and private amenity.

External design layout and appearance

The application makes no ref to the Heritage Statement or how it has adopted these into the design.

We object to the overall appearance of the proposed design as it lacks Crowsport heritage characteristics. **Policy 184.LB Crowsport Special Policy Area** requires that development will not be permitted unless the size, scale architectural style, material and detailing closely reflect that of the existing development. The scale and mass of this proposed replacement first-floor extension does not reflect the prevailing Art Deco character of the area. The bulky form does not encompass the finer, well proportioned and articulated recesses and projections of the original dwelling or some of the latter extended dwellings on the estate. In this respect, the application sets a precedent for large and fully two-storey dwellings with very little in the way of private amenities for neighbouring properties.

As No 15 has been developed through various owners and applications, it's losing key features from the property's original heritage.

Examples are:

1. 1.8m stone wall, erected with retrospective planning in 2015, failed to comply with Crowsport's requirement for white-rendered walls, predominately low-level. Instead, a low-level hedge was grown to break up the appearance.
2. At the front of the house, a modern wooden pergola has been erected, which does not comply with heritage designs for the Crowsport estate. The planning approval noted that this was to be painted white, but that has yet to happen.

The introduction of parapet walls to the first floor is welcomed, the latest application illustrates that the majority of this is glazing - over 50% is glass. Not in keeping with the conservation guidelines.

The proposed 2.7-meter increase in ceiling height will result in a significantly higher property than initially constructed. The Crowsport was originally low-level bungalows with roof terraces to reflect the style of cruise ships viewed from the Hamble River - the new design contradicts the original characteristics of the estate. To give context - No 24 Satchell Lane is on significantly higher ground than 15 Crowsport, yet when constructed will be higher than 24.

Errors/ omissions in the submission:

While the submitted drawings are professional and well presented, they include several inaccurate details and measurements - for example, three different floor plate measurements. Submitted existing floor plan drawing 206m², DSSAS 3.1.1 261.3m², original sale drawing 245.3m² see attached.

The ground floor existing v proposed is 126m² larger for a small side extension- yet the first-floor extension is 90m². The measurements as submitted are flawed.

We would suggest the revised scheme be amended and aligned with 3D topographical survey to reflect the difference in height of surrounding properties, including existing daylight/ sunlight and shadowing models. We believe the design team have completed this work on other Crowsport sites. We have requested a full REVIT / Sketchshop model

Actual measurement of current installed and constructed walls and fences - where at present measurements of views taken from 15 vary by up to 400mm to those taken on at No 16 inc fence heights, parapets, heights, future roof heights (15 and 16) .

Furthermore, the 3D modelling/ rendering suggests a much smaller mass visible from the corner of Satchell Lane and Marina Drive

The Design Sustainability and Access Statement

This does not demonstrate any consideration of our residential amenity, nor does it include any photographs or elevations or aspects of no. 16 Crowsport and so does not accurately allow for an assessment to be made in respect of the impact on this neighbouring property.

As a result, it is clear that the proposed development will be contrary to policy DM1 of the Adopted Local Plan and should be refused on this basis.

No 14, 16, 18, 20, 26 Crowsport: have included a range of concessions inc glazed privacy screens, non-opening frosted windows, high-level frosted windows, and number of which could have been considered at or prior to submission

Sustainability: given the expansive nature of the proposed development the sustainability credentials, other than the ground source heat pump and solar array are weak: design commitments should be made to improve the post-development performance to a minimum of the current building control standards - if not more challenging sustainability standards are warranted in a conservation area of such unique cubist architecture.

Improvements could include: floor insulation, wall insulation, recyclable materials commitment coupled with an air tightness test - in essence aligning with EnerPhit - committing to achieve a space heating and cooling demand of 25kWh/m2/year (compared to the Passivhaus standard of 15kWh/m2/year); this would ensure the Local authority comply with its widest commitment to sustainable development and its impact on the environment, the provision of green roofs could also be considered as part of carbon reduction impact assessment (Quality Places - Page 23)

In conclusion, we are seeking; withdrawal or refusal of the application pending further assessment, consultation and significant amendments. We would welcome a site viewing by the planning committee at the first available opportunity.

Kind regards

Mr and Mrs N O'Donnell