

HEWEB – Hedge End, West End and Botley Local Area Committee Monday 9 September 2024.

Application Number: H/24/97271
Case Officer: Dorothy Hei-Tung-Hoh
Received Date: Monday 22 April 2024
Site Address: 22 HICKORY GARDENS, WEST END, SOUTHAMPTON, SO30 3RN
Applicant: Mr C Ebert and Miss M Kondracka
Proposal: Proposed loft conversion to include 2no. front facing dormers and 4no. roof windows to the rear.

Recommendation: Refuse Planning Permission

CONDITIONS AND REASONS

1	The proposed front dormers, due to their prominent position, boxy form, design, and materials, are considered a visually incongruous feature within the street scene, detracting from the established character of the area. The proposal is therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2023).
	Note to Applicant: The application was refused following the assessment of the following plans: SP 01, LOC 001, 0795-01.001. 01, 0795-01.002. 01, 0795-01.003. 02, 0795-01.004. 01 and 0795-01.005. 01. In accordance with paragraph 38 of the National Planning Policy Framework (December 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 Gomer, Councillor Asman, Councillor Du-Crow and Councillor Tennent.

Site Characteristics and Character of the Locality

2. The application property is a two-storey, five-bedroom detached dwelling situated on the northern edge of West End, within a predominantly residential area characterised by developments from the 1980s to the present day.
3. The dwelling features an attached double garage and a single-storey rear extension. It was extended in few years ago through the addition of a first-floor side extension above the garage.

Description of Application

4. The current application seeks planning permission for a loft conversion, which involves the installation of two flat-roofed dormers on the front elevation and four rooflights on the rear roof slope. The conversion is intended to create two additional bedrooms within the loft space.
5. The proposed works will not alter the existing ridge and eaves height, nor will they change the overall roof form. The front dormers are proposed to be finished in grey cladding.

Relevant Planning History

- H/19/85854 - Proposed first floor side extension - Permit - 09/08/2019

Representations Received

6. One objection has been received in relation to the proposed development, specifically concerning the rear rooflights. The objection raises concerns about potential overlooking and loss of privacy to a neighbouring property and garden.

Consultation Responses

7. Parish Council – None received.
8. Ecologist – There are records of bats nearby, but I have reviewed the photos of the house on google maps. I don't see any potential bat roost features.

Policy Context and Designations Applicable to Site

- Within the Urban Edge
- Within Established Residential Area
- Within Built-up Area Boundary

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);
- DM2 (Environmentally Sustainable Development);
- DM11 (Nature Conservation); &
- DM14 (Car Parking);

Supplementary Planning Documents

- Quality Places (November 2011);
- Residential Parking Standards (January 2009);
- Character Area Appraisal for Hedge End, West End and Botley (January 2008)

National Planning Policy Framework

9. 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.

National Planning Practice Guidance

10. 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

11. 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. Plan comprises the Policies of the Eastleigh Borough Local Plan Review 2016-2036 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.

Principle and Policy

12. The application site lies within an established residential area 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.

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

13. 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.
14. The primary concern with this application is the impact of the proposed front dormers on the character and appearance of the surrounding area. The introduction of front dormers in this part of Hickory Gardens would be a significant departure from the established character of the street. While there is some variation in the design of neighbouring properties, none of the nearby dwellings feature front dormers, which suggests that such additions are not characteristic of the immediate vicinity.
15. The proposed dormers are not only uncharacteristic in terms of their positioning but also in their design. While it is acknowledged that there are some examples of front dormers elsewhere in Hickory Gardens, these are in different parts of Hickory Gardens, smaller in size, and feature pitched roofs. The flat-roofed, boxy dormers proposed in this application contrast sharply with these examples. It is also important to note that these front dormers were granted permission nearly 20 years ago, under different planning policies and design standards. Therefore, they cannot be directly compared with the proposed dormers.
16. Furthermore, the use of grey cladding is considered to exacerbate the discordance, introducing a material that is not widely used in the area. The combination of position, design, and materials results in a development that would be a visually incongruous feature within the street scene, detracting from the established character of this stretch of Hickory Gardens. Such an alteration to the front roof of the dwelling is likely to set an undesirable precedent for future developments, potentially leading to further erosion of the area's character.
17. NPPF states 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance documents. In conclusion, the proposal is considered to introduce a prominent and incongruous feature that does not align with the

established architectural character of the area. For these reasons, the proposal cannot be reasonably supported and is recommended for refusal.

Residential Amenity

18. 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.
19. The proposed front dormers are not expected to cause harmful overlooking of the neighbouring properties, as the views from these windows would primarily overlook areas already visible to the public.
20. However, regarding the rear rooflights, it is noted that these windows will be positioned approximately 1.3m above the floor level of the room. Given this height and the relatively short separation distance of 17m from the rear neighbours, which is less than the 22m standard required by the Supplementary Planning Document (SPD), there are reservations about potential overlooking into the rear neighbour's garden and habitable rooms. Nevertheless, as rooflights can typically be constructed under permitted development rights, this concern alone does not justify refusal.

Ecology

21. 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.
22. There are records of bats in the vicinity, but the council's ecologist has advised that there are no potential bat roost features in the house. Therefore, no further survey is required. It is recommended that informative notes be included in the decision notice.

Access, Parking and Transport Matters

23. 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.
24. The proposal will add two additional bedrooms, making the property a 7-bedroom dwelling. However, for properties with four or more bedrooms, the requirement remains at three parking spaces. The application property

already meets this requirement, so there are no concerns regarding parking provision.

Sustainability Measures and Climate Change:

25. 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.
26. 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.
27. 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:

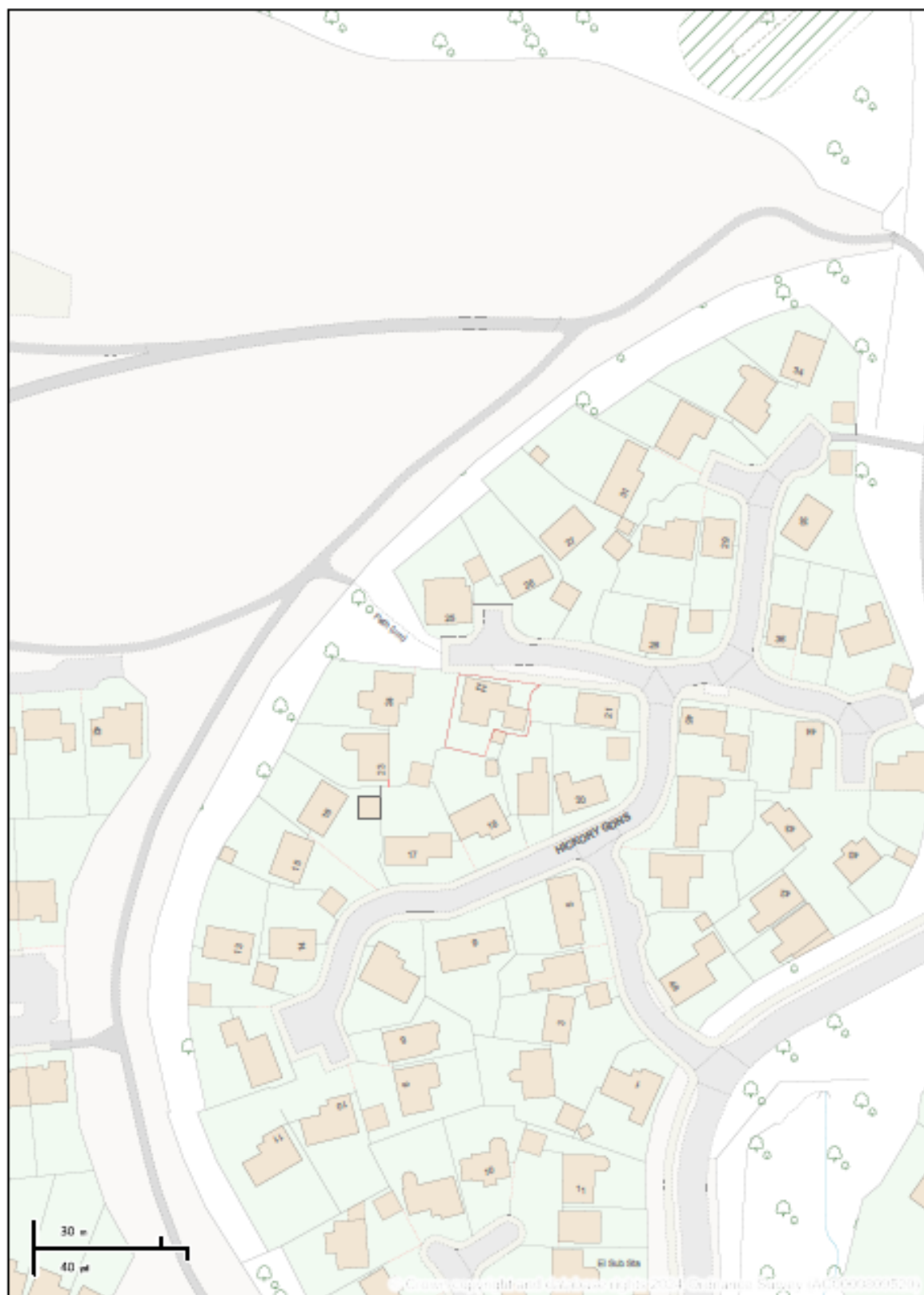
28. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-
- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or 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.
29. 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

30. The proposed front dormers, due to their prominent position, boxy form, design, and materials, are considered a visually incongruous feature within the street scene, detracting from the established character of the area. The proposal is therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2023).

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EASTLEIGH
BOROUGH COUNCIL



Address: 22 HICKORY GARDENS, WEST END
SOUTHAMPTON, SO30 3RN

Date: 15/08/2024

Scale: 1:1250