

Delegated Officer Report

Application Number: H/25/99056
Case Officer: David Huckfield
Received Date: 18/03/2025
Site Address: Wynrose, 9 St Mary's Road, Netley Abbey, Southampton, SO31 5AT
Applicant: Mr Benjamin Rogers
Proposal: Loft conversion to include hip to gable extension and addition of rear dormer (part-retrospective).

Recommendation:

PERMIT subject to the following conditions:

CONDITIONS AND REASONS

1. The development hereby permitted shall be implemented in accordance with the following plans numbered: Sheet 1 of 4 (received 28/05/2025), Sheet 2 of 4 (received 28/05/2025), Sheet 3 of 4 (received 28/05/2025), Sheet 4 of 4 (received 02/07/2025).

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour and texture to those referenced on approved drawing number Sheet 4 of 4 (received 02/07/2025).

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

3. The side facing second floor stairwell window as shown on approved drawing number Sheet 4 of 4 (received 02/07/2025) shall be obscure glazed to Pilkingtons level 3 or equivalent with no more than a top-hung opening toplight. Once installed the window shall be permanently maintained in that condition.

Reason: To protect the amenity and privacy of the neighbouring residential properties.

4. The development hereby approved shall be completed within 6 months of the date of this decision.

Reason: In the interests of the visual amenity of the area.

Note to Applicant: In accordance with paragraph 39 of the National Planning Policy Framework, Eastleigh Borough council take 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

Description of application

1. The application seeks approval for the conversion of the property's loft space to provide for a fourth bedroom and en-suite bathroom. The works incorporate a hip-to-gable enlargement to the north-eastern side of the roof, as well as the addition of a flat-roof, box dormer to the rear. The dormer contains a rear-facing obscure-glazed window to serve the en-suite, as well as a larger clear-glazed window with a Juliet balcony within the bedroom. A further window to serve the stairwell which provides access to the second floor is proposed within the gable enlargement.
2. The majority of the works have already been undertaken with a gable-extension and adjoining rear dormer having been constructed and, as such, the works are part-retrospective. As it stands, the gable extension and rear dormer have been built such that the north-eastern elevation of each is set flush with one another, with both also having been covered with a dark grey cladding. The side facing window within the gable is also presently clear-glazed.
3. The plans which are being considered as part of the planning application have, however, been amended during the course of the application process, with these showing the gable verge (including overhang and barge boards) to be added to the rear to provide for a set-in for the dormer from the edge of the roof, the gable extension to be rendered to match the first floor of the existing dwelling, as well as the aforementioned side-facing stairwell window to be obscure-glazed.
4. These changes bring the proposals substantively into line with the Permitted Development Regulations, with the only element that does not conform to the requirements of the relevant Class (Class B, Part 1, Schedule 2 of the General Permitted Development Order 2015), being the cladding that is proposed to remain on the rear dormer, as this would not meet the condition (B.2 (a)) that the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
5. Further details on the Permitted Development Regulations are provided within the below section forming the assessment of the proposals.

The site and its surroundings

6. The application site is comprised of a bay-fronted, semi-detached, two-storey, three-bedroom dwellinghouse which was originally constructed with a hipped-roof. The property is believed to have been built in the first half of the twentieth century and forms part of a short row of dwellings of a similar form, appearance and period. The property is of red brick construction with a cream coloured render to the external walls of its upper storey. Access is provided from St Marys Road at the south-eastern end of the plot, with off-road parking provided on a driveway area to the front and private amenity space to the rear.

7. The surrounding area is residential in character with it comprising of a mixture of dwellings in the form of two-storey housing and two- and three-storey apartments blocks, with some variety in design, scale and period within the St Mary's Road street scene. One of these apartment blocks, Austen Court, directly borders the application site to its northern side, with the building being sited in a recessed position relative to No. 9 which is set predominantly alongside its car parking area.

Relevant planning history

8. The planning history on file for the application site is as follows:
 - Z/34914/000 – Addition of rear conservatory – APPROVED (1998)

Summary of representations received

9. 1 letter of representation has been received from a neighbouring occupier within Austen Court which lies to the northern side of the application property, with objections being raised on the following grounds:
 - Failure to seek planning permission prior to commencing works.
 - External design and appearance of the extension being out of keeping with the existing, attractive roof.
 - Impact on residential amenity including from overlooking from a large side window within the extension as well as the impact on the side view from their living room space.

Response to representations

10. The matters of the design and external appearance of the development as well as its impact on residential amenity are considered in the sections below forming the assessment of the proposals. In terms of the issue of planning consent having not been sought prior to the commencing of works, the Planning Practice Guidance is clear that retrospective planning applications must be considered in the normal way (i.e. on their respective planning merits and in accordance with the development plan, unless material considerations indicate otherwise). The fact that works have already been carried out, therefore, has no bearing on whether or not planning permission should be granted or refused.

Consultation responses

Hound Parish Council

9. Objection on the grounds of the impact on the street scene, overdevelopment and privacy issues.

Ecology

10. There are records of bats near this site and the proposal involves works to the roof. To determine whether further surveys will be required I need to review

close up photos taken in good light of all areas of the roof, fascia, soffits (standing next to the building and looking upwards), flashings, hanging tiles, the elevations to be affected by the proposal and any potential gaps or openings. Photos of any areas of the garden affected by the proposal are also required. Biodiversity enhancements will be required in accord with Local Plan policy DM 11 and NPPF (December 2024) paragraphs 187d and 192b.

Policy context: designation applicable to site

- Within the Urban Edge
- Established Residential Area

Legislative provisions, development plan policies, SPD's and National planning policy

Legislative provisions

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.

The Development Plan

12. The Development Plan comprises of the policies of the adopted Eastleigh Borough Local Plan 2016-2036. The following policies are of relevance to the application: S1 (Delivering sustainable development), DM1 (General criteria for new development), DM2 (Environmentally sustainable development), DM3 (Adaption to climate change), DM11 (Nature conservation), DM13 (General development criteria – transport), DM14 (Parking).

Supplementary planning documents / associated guidance

13. The following supplementary planning documents (SPDs) are considered to be of relevance to the application:
 - Quality Places (November 2011)
 - Residential Parking Standards (January 2009)
 - Character Area Appraisals – Bursledon, Hamble-le-Rice and Hound (January 2008) – The site lies within the character area BHH7, with the SPD setting out the following guidance for new development:
 - Mitigate the effects of the heavy vehicular traffic on Station Road in new development using measures such as boundary planting, set backs, transition spaces and orientation of internal spaces.
 - Retain/reinforce the continuity in building line between the two intersections with Denzil Avenue.
 - Maintain the predominant brick wall/fence plot boundaries.
 - Ensure that new development relates effectively with the proportions and form of the earlier development which gives the area its distinctive character.

National planning policy and guidance

14. The latest iteration of the National Planning Policy Framework (the NPPF or Framework) was published in December 2024 and, as set out within paragraph 231, the policies contained within it are material considerations which should be taken into account in dealing with applications from the day of its publication. The Planning Practice Guidance provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

Assessment of proposals

Principle of development

15. The site lies within the urban edge where the basic principle of development is considered to be acceptable. Any planning approval is, however, subject to the particular development proposal put forward being deemed to be appropriate and according with the criteria of the relevant local and national planning policies and associated supplementary planning guidance. The relevant material considerations in this regard are considered in the sections below.

Layout, design and impact on the character of the area

16. Policy DM1 of the Local Plan, amongst other things, requires that development takes full and proper account of the context of the site, is appropriate in layout, scale, density and design, and that it should not have an unacceptable impact on, and where possible should enhance, the character and appearance of the area.
17. As noted earlier in this report, a notable proportion of the works have already been carried out, with this including a hip-to-gable extension and the addition of a rear box dormer which, to their north-eastern sides, sit flush with one another. These additions have been finished with a dark grey composite cladding, with the proposals also incorporating windows to the side and rear. Whilst the principle of extensions to the roof of the property is considered acceptable, as constructed there were some reservations regarding the visual impact of the alterations on the existing property as well as upon the street scene, with the advanced position of the application dwelling relative to the adjacent apartment block (Austen Court) giving the alterations a greater degree of prominence as seen from St Mary's Road and, to a degree, from Sellwood Road.
18. In response to these concerns, amended plans have been submitted, with these showing the verge (including overhang and barge boards) to be added to the rear of the gable, as well as the gable extension to be rendered to match the first floor of the existing dwelling. These changes are considered to better integrate the additions with the host property, as well as providing for both a degree of set-in for the dormer from the edge of the roof and a visual break between the two elements of the roof extensions. This notably lessens their prominence within the street scene and makes the dormer sit more comfortably within the rear roof slope. Whilst the cladding will remain on the elevations of

the rear dormer, its extent on the side of the property which is most visible from the public realm will be notably reduced. Its darkened colour will also complement the grey slates which cover the remainder of the property's roof.

19. It is also of relevance that, following the aforementioned amendments to the plans as well as the proposal to obscure glaze the side facing window (see below section on 'Residential amenity' for further details), the works now substantively conform to the Permitted Development Regulations. Class B of Part 1 of Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 (as amended), allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof, with this being subject to a number of stipulations which cover such matters as a limit on the overall volume of the additions, the height of the enlargements relative to the existing roof, the distance that the dormer would need to be from the existing eaves, and the materials to be used.
20. The proposed development meets all of these requirements and the others within Class B of the Regulations that apply, aside from the condition requiring the external materials to be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse which, in this case, would only now apply to the cladding of the dormer. The applicant could, therefore, construct extensions and additions of the same form, scale and design without requiring planning permission, if a different material was used for the dormer. As noted above, the use of cladding of the colour proposed for the dormer alone is not considered to be visually harmful to the character of the property or the surrounding area, particularly when considered relative to an alternative matching material of grey slates for example.
21. Overall, therefore, and for the reasons given and having regard to the applicant's fallback position of their Permitted Development Rights as a material consideration of significant weight, the development is considered to be acceptable in terms of its layout, design and impact on the character of the area, and thereby complies with the requirements of Policy DM1 of the adopted Local Plan in this respect.
22. As the development as currently built is, however, unauthorised and the works proposed within the application are required to make the building acceptable in planning terms, a timescale of 6 months by which they must be completed will be imposed by condition. Given the relatively modest extent of the alterations that are required to be undertaken, it is considered that this is a reasonable timescale in this instance.

Residential amenity

23. Policy DM1 of the Local Plan requires that new development should not have an unacceptable impact on, and where possible should enhance, residential amenities of both new and existing residents. The Council's adopted Quality Places SPD provides additional guidance in relation to amenity in support of Policy DM1.

24. The properties to the front and rear of the site are a sufficient distance away as to not be unduly impacted by the development, with the former also having St Mary's Road in between and the latter being well screened by existing trees, both of which are notable intervening features. In terms of the adjoining property (No. 11), as No. 9 is set to its northern/north-eastern side and the proposed works are confined to the roof of the property and will not extend beyond either its eaves or above its existing ridge height, it is not considered that the development would be unduly overbearing for its occupiers, nor would it unduly affect light or outlook to its habitable rooms or amenity area. Whilst the rear windows within the dormer will allow for views down the neighbouring garden, a degree of mutual overlooking of this nature within a residential area is not unusual nor is it considered to result in an unacceptable loss of privacy.
25. With regards to the impacts upon the dwellings within Austen Court to the north, owing to the siting of the application building in an advanced position of the apartment block and both the relatively modest scale of the proposed extensions to its roof, as well as the separation that is afforded and maintained between the respective buildings, it is not considered that the development would be unduly overbearing, or that any impacts upon light or outlook would be unacceptable.
26. Whilst noting the comments received from the neighbouring resident in the latter regard, the visibility of a development (i.e. being able to see it) does not in itself necessarily represent a loss of outlook in planning terms. In this case, the living room space within the adjacent flats is served by a large bay window to the front of the building, which would still maintain reasonable and open outlook over the car park for the apartments and onto St Mary's Road beyond. In addition, and as noted earlier in this report, it is a significant material consideration that a roof extension and rear dormer of the same scale, size and position as that proposed within the plans as amended (albeit with a different facing material for the dormer) could be otherwise constructed under Permitted Development and, in such an instance, the impacts of the extensions upon light and outlook would be substantively the same.
27. In terms of overlooking, however, as currently constructed the proposals include a side facing second floor window which, whilst fixed shut, is clear glazed. Although this window serves a stairwell and is set alongside the car parking area of the adjacent block of flats and thereby a more public area, it does to a degree allow for views back towards the aforementioned front bay windows of some of the apartments. In order to mitigate this impact, the applicant has agreed to obscure glaze this window to prevent any loss of privacy occurring for the neighbouring occupiers. A condition will be imposed in this respect to require this and ensure that the window is subsequently maintained in such a condition.
28. Overall and for the reasons given, the development is considered to accord with the requirements of the relevant local plan policy and associated guidance as referenced above in respect of the matter of residential amenity.

Highway matters

29. Policy DM13 of the Local Plan requires that all new development has safe and convenient access to the highway network and makes provision for access to, and by, other transport modes including public transport and cycle and pedestrian routes as appropriate. Access arrangements to the highway network must meet national and local guidance and standards, not cause or increase danger to road users or impact detrimentally on highway safety, and be provided without unacceptable environmental impact. Policy DM14 requires that an appropriate level of car parking be provided in accordance with the Council's Residential Parking Standards SPD.
30. The access arrangements for the property will remain unchanged with this being via a dropped kerb from St Marys Road at the south-eastern end of the plot. With regards to parking, the proposals will increase the number of bedrooms within the dwelling from three to four and, accordingly, and in line with the aforementioned Parking Standards SPD, the required level of on-site parking provision increases from two spaces to three. There is ample room available on the existing driveway to accommodate this, and the proposals therefore comply with the SPD, as well as Policies DM13 and DM14 of the adopted Local Plan.

Ecology

31. Policy DM11 of the Local Plan states that the Council will determine planning applications to protect, conserve and enhance all international, national and local nature conservation designations and networks of natural habitats and features, and facilitate their adaptation to climate change wherever possible. It also seeks a net gain for biodiversity on development sites and sets out that development will not be permitted where it is likely to have a direct or indirect adverse effect on protected or priority species unless there are no alternative solutions, the adverse effects are unavoidable, measures are taken to mitigate or, as a last resort, compensate for the adverse effects, and the benefits of the development clearly outweigh the adverse effects.
32. The Council's Ecologist highlighted, within their consultation response, the possibility of bats being present within the roof space of the property and the potential for the development to impact upon them, with site photos being requested to allow for the further consideration of this matter. As noted elsewhere within this report, however, the substantive majority of the works have already been undertaken with this including the hip-to-gable enlargement and the construction of the rear dormer, with the property's roof also having been re-covered/re-tiled in association with these works. Accordingly, and given that any potential for bats that there may have been will now likely have been substantively diminished, it would be considered disproportionate to request any formal survey work to be undertaken in this case.

Environmentally sustainable development and climate change

33. 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.

34. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. Neither the NPPF nor the adopted Local Plan 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 national and local planning policy. The need to support the economy is part of the Strategic Environmental Assessment for the Local Plan, as is an assessment of climate impacts.
35. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. In this particular instance and when considering the impact of climate change, the proposed development would be expected to be resilient to its potential effects.

Equalities implications

36. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states that:

(1) 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; and
- (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.

37. It is not considered that this application raises any equality implications.

Other material considerations

38. None.

Conclusion

39. In conclusion, the development is considered to be in compliance with the relevant local and national planning policy provisions in respect of its layout and

design, as well as its impacts upon the character of the area. In addition, the proposals are acceptable with regards to their effects on residential amenity, highway safety and ecology. Accordingly, the proposals are considered to constitute sustainable development, and the application is recommended for approval.