

**Application Number:** 23/11235 Full Planning Permission  
**Site:** 17 ST JOHNS STREET, HYTHE SO45 6BZ  
**Development:** Single-storey rear extension; fenestration alterations  
**Applicant:** Mr Willacy  
**Agent:**  
**Target Date:** 15/02/2024  
**Case Officer:** Sophie Tagg  
**Officer Recommendation:** Refuse  
**Reason for Referral to Committee:** Contrary view of Parish Council and a local ward Councillor.

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## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) The impact of the works on the special architectural and historic interest and significance of the listed building and
- 2) The impact of the works on the preservation of the character and appearance of Hythe Conservation Area.
- 3) The impact of the works on the residential amenity of neighbouring occupiers
- 4) Flood risk considerations

## 2 SITE DESCRIPTION

The site comprises a grade II listed two-storey dwellinghouse that dates from the 18th century and forms part of a listed terraced group located in a prominent position within Hythe Conservation Area. The building is set within a long, narrow plot which at the rear extends to Southampton Water. There is a close-boarded fence to the north-western boundary, which is shared with No.15, another residential property that is also Grade II Listed.

The list description details the building as having a stuccoed brick front with jointed lines. On the front elevation there is a central 6-panelled door inside a flat roofed trellised porch, along with five 12-pane sashes in exposed frames.

## 3 PROPOSED DEVELOPMENT

The application is for a single-storey extension to the rear of the Listed Building.

The application follows on from a recent refusal of planning permission which sought the retention of a single-storey extension that had been commenced without consent in 2007/2008, and which whilst largely constructed has not been fully completed. The application was refused by the Local Planning Authority due to its adverse impact on the character and significance of the Grade II Listed host building, its adverse impact on the character and appearance of the Hythe Conservation Area, and also due to an unacceptable flood risk.

The Applicant appealed the Local Planning Authority's decision, and the proposal was dismissed by the Planning Inspectorate, with the Planning Inspector agreeing with all of the Local Planning Authority's main objections.

The as-built extension has entailed the remodelling and extension of a smaller single-storey projection which was made up of a collection of historically ancillary spaces that was situated adjacent to the site's boundary with 15 St John's Street. The internal space that has been created is habitable and in use by the occupants as living space/home office accommodation.

This revised proposal seeks to respond to the concerns of the Local Planning Authority and the Planning Inspector. The proposal seeks to reduce the depth of the existing unauthorised extension, bringing it in line with the neighbouring attached property No.15, with the formation of a new gable end. The width of the extension would be retained, but the roof would be altered to a lower slope constructed of lead. The proposals seek to remove a rooflight and alter the coupling so that the single rooflight remaining would sit lower into the roof. The ridge height of the addition, which sits higher than the permitted kitchen addition, would be retained.

The submission follows pre-application advice submitted by the Applicant. At the time, Officers, informed by the Conservation Officer, responded to the Applicant and advised that the proposal was unlikely to be supported because it did not fully address the matters of concern raised by the Planning Inspector.

#### 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
22/10239 Single-storey rear extension (Retrospective)	01/09/2022	Refused	Appeal Decided	Appeal Dismissed
22/10252 Single-storey rear extension (Application for Listed Building Consent)	01/09/2022	Refused	Appeal Decided	Appeal Dismissed
20/11082 Replace existing defective render and construct a section of slate hanging all in combination with external wall insulation (Application for Listed Building Consent)	15/04/2021	Granted Subject to Conditions	Decided	
75/NFDC/04160/LBC Alterations and addition of a kitchen (part of existing outbuilding to be demolished).	27/02/1976	Granted	Decided	

#### 5 PLANNING POLICY AND GUIDANCE

##### **Local Plan 2016-2036 Part 1: Planning Strategy**

Policy ENV3: Design quality and local distinctiveness

Policy STR1: Achieving Sustainable Development

##### **Local Plan Part 2: Sites and Development Management 2014**

DM1: Heritage and Conservation

##### **Hythe and Dibden Neighbourhood Plan**

Policy D1 - High Standards of Design and Architecture

Policy D2 - Design and Access Statement required

Policy D3 - Local Distinctiveness

## **Supplementary Planning Guidance And Documents**

SPG - Hythe - A Conservation Area Appraisal

### **Relevant Legislation**

Section 72 General duty as respects conservation areas in exercise of planning functions

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 General duty as respects listed buildings in exercise of planning functions.

Planning (Listed Buildings and Conservation Areas) Act 1990

### **Relevant Advice**

National Planning Policy Framework

Chap 12: Achieving well designed places

Chap.16 - Conserving and enhancing the historic environment

### **Constraints**

Flood Zone

Small Sewage Discharge Risk Zone - RED

Conservation Area: Hythe Conservation Area

Listed Building Grade: Grade II 552.11.022

### **Plan Policy Designations**

Town Centre Boundary

Built-up Area

## **6 PARISH / TOWN COUNCIL COMMENTS**

**Hythe & Dibden Parish Council:** Recommend PERMISSION.

## **7 COUNCILLOR COMMENTS**

### **Councillor Alex Wade -**

This application has my support as I do not consider the proposal to have a detrimental impact on this historic property. The listed building is within the Conservation area; however, there is no impact on the Streetscene or the front of the plot, and there is no change to the character of the area, with three linked cottages. The works are in the rear of the property and single-storey, and I understand efforts have been made to respond to previous concerns highlighted by Planning and Conservation Officers. The rear extension is sympathetic to the size of the plot, which has a long rear garden, and the height is only slightly above the next door property.

## **8 CONSULTEE COMMENTS**

### **Conservation Officer - Objection**

(Comments are available in full on the website)

The proposal does not fully address the Inspector's concerns set out within the appeal decision.

It would fail to preserve the special architectural and historic interest of No 17 and the significance derived from its composition within the plot.

Due to its situation relative to its surroundings, enclosures and landscape, the extension is all but hidden from views within the Conservation Area. Nevertheless, the character of the Conservation Area is not only reliant on visual effects and appearance from public vantage points. It follows that as the special interest of the listed buildings within the Conservation Area would be materially diminished, that the character and appearance of the Conservation Area as a whole, would also be similarly incrementally harmed, including by the constriction and erosion of the plot arrangement to the rear of No 17.

The proposed alterations to the unauthorised extension are harmful to the character and appearance of the No 17 and would not preserve the Conservation Area. The harm is less than substantial with no public benefit.

## **9 REPRESENTATIONS RECEIVED**

1 letter of support from neighbouring property received.

- *Would require details relating to finishes and weathering in respect of the proposed works to the party wall between No.17 and No.15.*

## **10 PLANNING ASSESSMENT**

### Design, site layout and impact on the listed building

The application relates to the construction of a single-storey rear extension which would be set beyond and attached to an authorised, narrower single-storey addition which is attached to the main house.

As set out above, unauthorised works have largely been completed on a rear single-storey extension which were considered unacceptable, refused by the Local Planning Authority and dismissed at appeal by the Planning Inspector.

The Applicant now proposes to reduce the overall form of the extension by reducing the depth, removing the flat roof element at the rear, amending the roof form to a gable end, removing a roof light and amending the form of the existing retained rooflight and altering the flat roof of the south facing extension with a sloping roof. The extension would be constructed in timber frame with natural timber cladding, and the proposed roof would comprise a mix of slate and lead.

The main ridge line of the roof of the proposed extension would extend approximately 70mm above the adjacent addition which was approved in 1976. The Applicant has advised that the extension replaces what was previously a workshop and store. A series of ancillary outbuildings originally existed on the site prior to 1979, constructed in brick and slate, comprising a washhouse, workshop and store. The main part of the proposed extension (under the pitched roof) incorporates part of the original range of outbuildings.

The Conservation Officer has been consulted on the proposal and has advised that the original single-storey features are visible on historic maps and included a section which continued to the end of the neighbouring lean-to structure.

The Conservation Officer is of the view that the proposed extension would not satisfactorily address the issues raised within the previous application or in the appeal Inspector's decision notice.

The Inspector made the following comments regarding the previous proposal:

*"The size, situation, proximity and detailing of a pair of large rooflights relate poorly to the roof in which they are set and the listed building as a whole. Its deeper plan brings it close to an existing woodshed and tool shed, narrowing the open space within the rear plot. Although the difference is relatively minor, the extension's taller ridge compared to the kitchen extension adds to the awkwardness of the arrangement."*

The proposal seeks to amend the depth of the extension by reducing it and removing the flat roof element by approximately 2 metres in line with the attached adjacent property (No.15). The roof is proposed to be amended to form a gable end which would be more reflective of No.15. However, the proposal would not alter the width of the extension and instead seeks to amend the roof line to a sloping roof constructed of lead. The projection beyond the current kitchen offshoot would give the extension an awkward appearance which would not be reflective of the diminishing hierarchy and subservience of the previous / historic arrangement, and this is something that was found unacceptable by the Inspector. Additionally, the ridge height difference would not be reflective of a pattern of development expected in the traditional evolution of a listed building, and the hierarchy of the building form would be adversely affected and would add to what would be an awkward arrangement. The proposed sloping roof would now link to the eaves of the kitchen extension. However, it would not reflect the slope pitch to the rest of the extension, which would result in an incongruous and awkward appearance. The proposed vertical boarding is also not considered to relate well to the main listed building. The proposal would remove one rooflight and alter the coupling of the retained rooflight so that it would sit lower into the roof. However, in his decision notice, the appeal inspector considered both rooflights to be overly large, and no sections of the rooflight have been provided to demonstrate that the coupling can be realistically achieved.

It is considered that the original store and workshop buildings were appropriately simple in character and ancillary in design as additions to the main listed building. By contrast, the proposed extension is considered to be of a width, height, form and appearance that would detract from the main two-storey listed building when viewed from the side and rear, and to detract as well from the character of the single-storey lean-to style ancillary buildings originally on the rear of the property.

Having regard to the personal circumstances of the Applicant, the Planning Inspector drew upon this issue within the previous application and states the following:

*"...such personal requirements carry negligible weight in support of the scheme... the evidence does not show that this particular scheme delivers any public benefits, including securing the optimum viable use of the building, such to outweigh the harm to the significance of the designated heritage assets."*

Due to its impact on the setting and special architectural and historic interests of the listed building set out above, the extension is considered to be contrary to policy ENV3 of the Local Plan 2016-2036 Part 1 : Planning Strategy, policy DM1 of the Local Plan Part 2 : Sites and Development Management 2014, and policy D1 and policy D3 of the Hythe and Dibden Neighbourhood Plan.

Additionally, the works would result in less than substantial harm to the significance of the designated heritage asset. Paragraph 202 of the The National Planning Policy Framework (NPPF) advises that such harm is to be weighed against the public

benefits of a proposal. In this case, no public benefits have been identified that would outweigh the harm to the Listed Building.

#### Conservation Area impact

As set out within the Inspector's report, and also considered to be relevant to this revised application is the impact upon the character and appearance of the Conservation Area.

*"I have also paid special attention to preserving the character and appearance of the Conservation Area and have also given great weight to this designated heritage asset's conservation. Whilst there is a less marked effect on its appearance given the largely obscured nature of the extension from outside the site, the development does not preserve its character and hence it harms its significance. Again, this heritage harm carries considerable importance and weight. "*

It is considered by Officers that the addition would not conserve the character and appearance of the Hythe Conservation Area. A more appropriate and narrower building, similar to that previously in situ, which follows the ridge line or set lower than the ridge line of the existing single-storey buildings and footprint to the rear would potentially be more acceptable. The Applicant has been advised of Officers' views within the responses of recent pre-application enquiries submitted.

#### Residential amenity

The development is not considered to give rise to an unacceptable level of overshadowing or loss of light to the amenities of the neighbouring occupiers and is acceptable in this regard.

#### Flood Risk

17 St John's Street lies partially within an area at risk of tidal flooding. Parts of the property fall within Flood Zone 3, parts are in Flood Zone 2, and parts are in Flood Zone 1. The site of the extension is within Flood Zone 3. The application has been accompanied by a Flood Risk Assessment (FRA) and the measures required are considered to comply with flood risk policies and paragraph 167 of the National Planning Policy Framework. It is considered the FRA adequately addresses the flood risk concerns that were raised in connection with the previous application.

## **11 CONCLUSION / PLANNING BALANCE**

It is recognised that the applicant has sought to respond to the concerns raised by the previously refused application. However, it is not considered that the amendments have gone far enough in addressing the harmful effects of the previous proposal.

Based upon the assessment set out above, the rear extension, by way of its siting, massing and detailed design, would result in a discordant and inappropriate form of development which would fail to respect the character, appearance and setting of the historic host property, which is a Grade II Listed Building; and nor would the proposal preserve or enhance the character and appearance of the Hythe Conservation Area. As such, the recommendation is one of refusal.

## 12 RECOMMENDATION

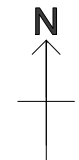
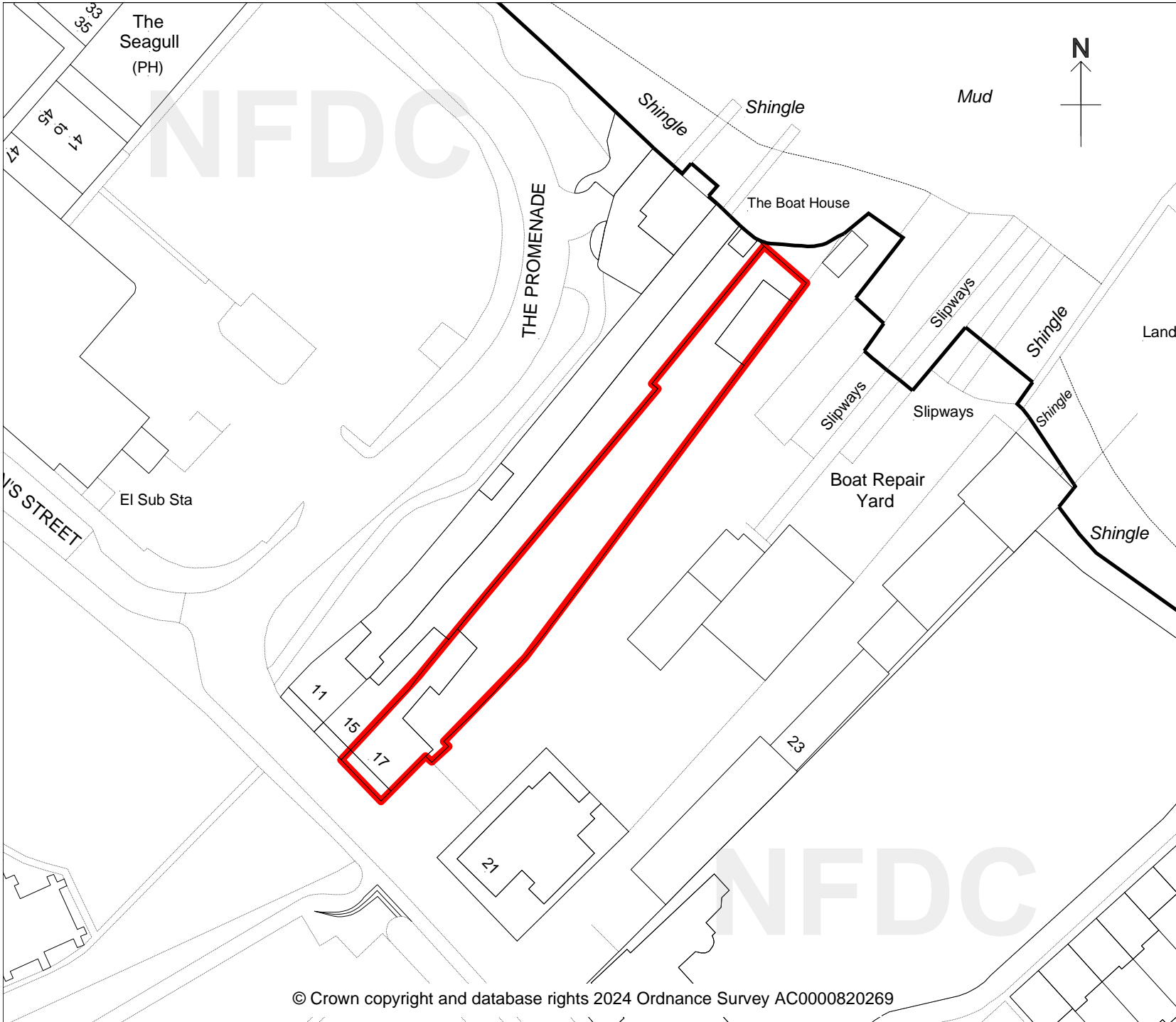
### Refuse

#### Reason(s) for Refusal:

1. The proposed rear extension, by reason of its siting, massing and detailed design, would result in a discordant and inappropriate form of development which would fail to respect the character, appearance and setting of the historic host property, which is a Grade II Listed Building, and would not preserve or enhance the character and appearance of the Hythe Conservation Area and the setting of the neighbouring Grade II Listed property, No. 15 St Johns Street. As such, the proposed development would be contrary to policy ENV3 of the Local Plan 2016-2036 Part 1 : Planning Strategy, policy DM1 of the Local Plan Part 2 : Sites and Development Management 2014, and policy D1 and policy D3 of the Hythe and Dibden Neighbourhood Plan. The proposed development would lead to less than substantial harm to the significance of the designated heritage assets and fails to meet the tests in paragraph 202 of the National Planning Policy Framework, as the development does not bring public benefits, and therefore the harm caused to the designated heritage assets is unjustified. The development does not conform with the duty on decision makers to ensure that Listed Buildings are preserved and protected, and their setting is preserved or enhanced, as set out in Section 66(1) and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Further Information:

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**PLANNING COMMITTEE**

**March 2024**

17 St Johns Street  
Hythe

23/11235 & 23/11236

Scale 1:750

N.B. If printing this plan from the internet, it will not be to scale.