REF. NO. F/12/71770

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Erection of 1No. 2/3 bed detached dwelling. Land to rear of 7 The Paddock, Eastleigh, SO50 4SD.

SITE VISIT DATE – 04/02/2013

ARE PLANS ACCURATE? – Yes although they do not show all trees and boundary treatment.

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above to construct a modest 2/3 bedroom chalet style dwelling within the rear garden of No.7 and accessed from Rookwood Close.
SITE AREA	The plot for the proposed dwelling is approximately 220 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	Approximately 45 dwellings per hectare (for comparison the density in the immediate surrounding area ranges from 20-25 dwellings per hectare).
TOPOGRAPHY	The site itself is generally flat and level but it is around 1.0 – 1.2 metres higher than Rookwood Close which it is intended to use for access.
TREES	There are a number of trees surrounding the site which are subject to tree preservation orders but it is unclear exactly who's ownership they are under and whether the proposal includes the removal of any to make room for the development.
BOUNDARY TREATMENT	The rear garden of No.7 is generally surrounded by 1.8 – 2.0 metre close board fencing, together with mature planting, including a number of trees.
SITE CHARACTERISTICS	No.7 is a large modern detached two storey dwelling with a fairly sizable rear garden. The application plot is made up of part of the end of this garden.
CHARACTER OF LOCALITY	The surrounding area is predominantly residential in nature and made up of mainly detached and semi-detached two storey dwellings ranging in age from the 1970s to 1990s.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/04/51718	Conversion of garage to habitable rooms and single storey rear extension.	Approved Oct 2004

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Mollicone – Rookwood	Object. The proposed plot is too small for development and would be

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Cottage	out of keeping with the surrounding area. Since existing outbuilding was built there have been flooding problems in the road.
Fowler – 2 Rookwood Close	Object. Flooding since the removal of trees, plot is too small for a dwelling and would be out of keeping with the area, access and slope to Rookwood Close has not been taken into consideration or parking problems in the close.
Bates – 4 Rookwood Close	Object. The small bungalow would be out of keeping with the surrounding area. The site is on a higher level than the road making the driveway steep. Existing drainage problems would be made worse by further development and hard standing. Could lead to further parking problems in the close.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transportation & Engineering	Object on grounds of insufficient off-road parking. Such a dwelling would require a minimum of two off-road spaces but only one is proposed. The proposed access is not in the best location so close to a junction and bend but traffic speeds would be low and is unlikely to result in any highway safety issues.
Head of Environmental Health	No objection. Amenity protection conditions recommended.
Tree Services Manager	Object on the grounds of insufficient arboricultural information. No information has been submitted to demonstrate that the proposed development will not have any adverse impact on adjacent protected trees or who's ownership they are under.
Sustainability	Submitted pre-assessment estimator report shows that the proposed dwelling can only just meet code level 4. However, it also shows that a number of the requirements of the Council's 'Environmentally Sustainable Development' SPD have not been met.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area

DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011): 28.ES, 34.ES, 59.BE, 101.T, 147.OS & 191.IN
Pre submission Eastleigh Borough Local Plan 2011-2029: DM1, DM23, DM24, DM25, DM29, DM32, DM35 & DM37
Supplementary Planning Document: Quality Places
Supplementary Planning Document: Character Area Appraisals – Eastleigh (ELAC 32)
Supplementary Planning Document: Residential Parking Standards
Supplementary Planning Document: Environmentally Sustainable Development
Supplementary Planning Document: Planning Obligations

NATIONAL PLANNING POLICY GUIDANCE

One of the core principles of the National Planning Policy Framework is to "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings" (paragraph 17). It goes onto say in paragraph 53 that "Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area."

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed with particular regard to the principle of that proposed, its layout and design, impact on the residential amenity of neighbouring properties, as well as future occupiers of the development, trees, parking, environmental sustainability, the street scene and character of the surrounding area.

COMMENT ON CONSULTATION RESPONSES

All comments are noted and responded to where appropriate below.

COMMENT ON REPRESENTATIONS RECEIVED

With regards to the drainage problems within the close, which were noted when the officer's site visit was conducted, it is unclear what the cause is. There is nothing at this point to suggest that the construction of a dwelling on this plot would worsen the situation and it is likely that it is more of a highway drainage matter for the local highway authority to investigate.

PLANNING OBLIGATION/CONSIDERATIONS

In accordance with the requirements of the National Planning Policy Framework and the guidance contained within saved Policies 101.T, 147.OS and 191.IN of the Eastleigh Borough Local Plan Review (2001-2011) and Supplementary Planning Document 'Planning Obligations', this application is subject to developer's contributions towards the provision of community infrastructure, off-site public open space and sustainable transport in the local area.

The applicant has been made aware of this requirement and details of the contributions requested have been forwarded to them. However, these required contributions have not been secured and this will form a reason for refusal.

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Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies.

In this case policy issues for consideration include:

Principle – The application site lies within the urban edge where the basic principle of development is considered to be acceptable, with any formal planning approval being based upon the exact nature, design and impact of that proposed being considered appropriate and

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DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

in accordance with the relevant local plan policies and supplementary planning documents.

The most relevant policy in this instance is saved Policy 59.BE of the Local Plan which requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

Layout & Design – As has been mentioned above the proposed building plot is formed from part of the bottom end of No.7's rear garden and would be accessed via Rookwood Close to the south. It would be a modest 2/3 bedroom chalet style dwelling with a 3.5 metre sloped frontage, parking for one car to the side and a 7.1 metre deep rear garden space. The dwelling itself is of a simple design with a half-hipped roof, two dormer windows to the front and a single dormer to the rear which would serve the first floor bathroom. As in individual building it is inoffensive and raises no particular design concerns.

However, while there are no particular concerns with regards to the design and appearance of the proposed dwelling, there are significant concerns that the plot proposed for it is very small and would not provide sufficient off-road parking or usable private amenity space and that it would go against the prevailing character of the surrounding area.

Residential Amenity – In terms of the likely impact upon the residential amenity of existing neighbouring properties, the proposed dwelling should not have any direct impact with regards to loss of privacy, light or outlook. This is due to the position, proximity and orientation of the dwelling in relation to existing properties. The dwelling most affected would be No.7 who's outlook would change significantly but not to such an extent as to be unacceptable in planning terms.

While there are no major concerns for the amenity of neighbouring dwellings there are concerns that the private amenity space proposed for the dwelling will be insufficient. While it does just meets the absolute minimum requirement of 60% of the total floor area of the dwelling (it equates to approximately 63%) as is set out in the Council's 'Quality Places' SPD, its depth is only 7.1 metres. The same SPD sets out that north facing gardens should be a minimum depth of 12 metres for two storey dwellings and 14 for three storey dwelling. Given that the proposal is for a 1 ½ storey dwelling the garden depth should ideally be closer to 10 metres and not overly shaded. Given the number of trees surrounding the site and the lack of information to demonstrate what trees are to be retained it is difficult to assess whether shading would be an issue. Nonetheless the amount and quality of space provided is considered to be poor and is in no way comparable to the size and quality of surrounding gardens. This will form a reason for refusal.

Trees – As has been set out above the Council's Tree Services Manager has objected to the application on the grounds of lack on information to demonstrate that the proposal can be built without having any adverse impact upon surrounding protected trees, which are an important and attractive amenity feature of the wider area. As such this lack of information will form a reason for refusal.

Parking – As set out above the proposal as set out would only provide one off-road parking space which is not sufficient to meet the requirement of two spaces set out in the 'Residential Parking Standards' SPD. No information has been provided with regards to how the level difference between the site and the road would be dealt with and whether there is scope to provide the additional space required without using up much of the small frontage area

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proposed. This lack of off-road parking is likely to lead to further parking issues within the close which is already struggling, which in turn would affect the amenity of occupiers of other neighbouring dwellings. This will form a further reason for refusal.

Environmental Sustainability – The above response from the Council's Sustainability Officer highlights that the proposed dwelling is just capable of meeting code level 4 of the Code for Sustainable Homes, although there is very little margin for error. However, while the Council's 'Environmentally Sustainable Development' SPD does require any new dwellings to meet code level 4 as a minimum, it also requires certain credits within the code to be achieved as part of this. These required credits relate to energy and water conservation measures which the submitted pre-assessment estimator report shows have not been targeted or achieved. That being the case, the proposal does not meet the requirements of the SPD and will therefore form a further reason for refusal.

Street Scene & Area Character – As has been mentioned above there are concerns that the dwelling proposed and its plot size are not comparable with the scale, pattern or character of development within the surrounding area. That character is sizable two storey detached dwellings on good size plots with a reasonable number of boundary trees. The dwelling proposed is firstly significantly smaller than neighbouring dwellings and of a chalet style and form, and secondly sits on a rather small and cramped plot which is out of keeping with the nature and character of the surrounding area.

In order to construct the dwelling it is also likely that the remaining trees along the Rookwood Close frontage would have to be removed. There is already a large gap in the existing boundary planting following the construction of an outbuilding within the rear garden of No.7 where the planting was removed to allow access. This gap already looks unattractive and has harmed the nature and character of the close which at its entrance has the feel of a green lane. Further loss of planting and its replacement with a built structure would appear very out of place and would be detrimental to the nature and visual amenity of the close. This will form a further reason for refusal.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the pre-submission Eastleigh Borough Local Plan 2011-2029. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

The proposed development if built would harm the visual amenity and character of Rookwood Close, as well as provide poor quality private amenity space for future occupiers, insufficient off-road parking, potential loss of protected trees, would not meet the necessary environmental standards and does not make contributions towards local infrastructure. As such the application is considered to be contrary to saved Policies 34.ES, 59.BE, 101.T, 147.OS and 191.IN of the current adopted local plan. The application is therefore recommended for refusal.

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