REF. NO. F/12/70286

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	3no. 3 bed detached dwellings with associated access, parking & amenity space Byways Portsmouth Road Bursledon Southampton SO31 8EP

SITE VISIT DATE – 15/2/12

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The houses are three storey with hipped roofs and front/ rear dormer windows. The houses measure 7.1m(w) by 5.9m(d) by approx 8.5m(h).
SITE AREA	440 square metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	68 dwellings per hectare
TOPOGRAPHY	Land slopes upwards from junction with Portsmouth Road.
TREES	Site has been cleared and so there are no important trees
BOUNDARY TREATMENT	High hedging at each side with close boarded fence at the rear.
SITE CHARACTERISTICS	Site contains a detached two storey dwelling with a garden to the side and rear. The application is to develop the side garden.
CHARACTER OF LOCALITY	Predominantly residential, although the site backs onto commercial properties along Portsmouth Road.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
5 letters of objection	- The proposal would result in less street parking available and cause highway safety issues. - The proposal would adversely affect a public right of way, which is used by school children - Three storey buildings on raised ground would overlook neighbouring properties. - Overdevelopment - Devaluation of properties

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE

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Planning Policy and Design	**Object** as over-development. Quite happy with the principle of residential development here but this application is too dense with inappropriate layout and siting contrary to policy 59BE. - This proposal provides very cramped dwellings on a very cramped site. - The way the dwellings are shown on the section means that the left-hand parking space of the highest building has a drop front to back of the parking bay of nearly 1.50metres from back of pavement to front of house in approximately 6.0 metres, which is quite unrealistic. - The front path exceeds the incline for wheel chairs and no steps are shown.
Transportation and Engineering	<u>Car Parking</u> Whilst the development accords to standards in terms of parking and access, I have concerns in regard to the actual usefulness and workability of the drive and paths provided on site. Whilst not totally clear from the drawings provided, it would appear from looking at the left hand driveway of plot 3 (for example) drops from approx 11.6m to 10.5m (1.1m) over the driveway length of approximately 5.0m. This would equate to a slope of approx 1:5 which is not only too steep for not only disabled users, but arguably all users particularly if wet/frosty. It is recommended that a slope should not exceed 1:20. This gradient issue seems to run across all three plots (particularly the left hand driveway spaces) and as such, I have doubts that the driveways would be fully utilised in all conditions that may result in off-site parking on the highway causing inconvenience and loss of amenity to existing residents. The unmade road is often occupied by parked cars , this use would limit the amount of parking that could occur in the road. It is assumed that parking takes place in the road by workers in the village centre. If people can not park cars in this location, parking may be displaced elsewhere in other nearby roads, such as Sunnyfield Rise where there are already issues with obstructive and on -footway parking. <u>Right of Way</u> The unmade road outside the site is also currently the status of a public footpath over its full width, cars or other vehicles parked outside the site would effectively be obstructing the public right of way.

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	A revised reduced scale scheme with more parking is needed, with more suitable levels to improve access/driveway and path gradients. <u>Developer Contributions</u> If planning permission is granted, transport related developer contributions will be required, calculated in accordance to the HCC Transport Contributions Policy. These would be allocated to schemes in the local vicinity which are either of benefit to the residents of the proposed development, or go to mitigate against issues caused by the development. £11,235 (plus indexation from 2007) would be requested for a three 3-bed development. Details of identified transport schemes can be provided if requested.
Bursledon Parish Council	**Do not object,** but would like the following points to be looked into and clarified:- - 3 visitor car parking spaces to be allowed on a Public Right of Way? - Change of use – from garden to 3 detached houses with parking? - Retaining of the Hedge?
Hampshire Rights of Way Officer	**Object** The three plots each show two parking bays, but none of the plots has any area to allow for a vehicle to enter and exit the site in a forward gear. This presents an unacceptable safety hazard for walkers using the public footpath. The hedge is a well established boundary feature of the footpath, this should not be removed and we object to this aspect of the proposal. This is a public footpath and so any surface alterations must have permission from Hampshire County Council, as Highway Authority. There are no recorded public vehicular rights over this footpath *(Bursledon Footpath No 13a)* and it is an offence to drive over a public footpath without lawful authority. Suggests conditions if permission is granted
Environmental Health	The proposal could be affected by ground contaminants. Condition required that this is investigated before development commences. Also recommends further amenity conditions.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Adjacent to a Public Right of Way Within Character Area BHH 16.

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DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011): 34.ES, 37.ES, 59.BE, 72.H, 100.T, 101.T, 104.T, 147.OS & 191.IN

SUPPLEMENTARY PLANNING DOCUMENTS

Supplementary Planning Document: Quality Places
Supplementary Planning Document: Residential Parking Standards
Supplementary Planning Document: Environmentally Sustainable Development.
Supplementary Planning Document: Planning Obligations
Supplementary Planning Document: Bursledon, Hamble-le-Rice and Hound Character Area Appraisal

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed.

COMMENT ON CONSULTATION RESPONSES

Comments are noted and will be discussed in the assessment section.

COMMENT ON REPRESENTATIONS RECEIVED

The devaluation of neighbouring properties is not a planning consideration and can not influence the decision. All other comments will be discussed in the assessment section

PLANNING OBLIGATION/CONSIDERATIONS

Planning contributions are required for the new housing development, in accordance with the Saved Policy 191.IN of the Eastleigh Borough Local Plan Review (2001-2011), the adopted SPD on Planning Obligations and Circular 05/05. The planning contributions are as followed:

- £ 4,140.00 Community Infrastructure
- £ 2,175.15 Public Open Space & Play Provision
- £11,235.00 Sustainable Integrated Transport

Potential projects are:

- The new community centre / self-service library / GP surgery in Lowford.
- Youth shelter and improvements to skater ramp at Pilands Wood.
-

The planning contributions have not been secured and as such this is a reason for refusal. However, the contributions could be addressed through a unilateral undertaking if the applicant goes to appeal.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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."

Policy 59.BE of the Local Plan requires development to take full and proper account of the

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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, have 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.

Amount of Development

The erection of three houses on a site of this size would constitute an overdevelopment. Each three bedroom house has a footprint of just 42m2, which is very small and would create a cramp and poor quality living environment. The rear gardens (although they are more than 60% of the houses footprint) are likewise uncharacteristically small which are at odds with the prevailing character and do not provide sufficient space for a family property.

It is noted that the surrounding area contains a mixture of different size and style residential properties. There are some newer developments to the north, which are modern and smaller than the more established properties. However, even the smallest terraced properties (24-37 Sunnyfield Rise) have a footprint of at least 55m2, which is over 1/5 larger than the footprints of the proposed houses. While it is acknowledge that densities can be increased close to community facilities, it is considered that these houses are simply too small to offer its occupiers acceptable living accommodation.

Character and Appearance

At three storeys high the proposed houses would be imposing and with less than a metre between each property offer little separation. The frontage will have small hedged areas set at a right angle to the road, although these offer limited greenery amongst the large expanse of hardstand. The proposal is considered to create a hard urban frontage to the road and designated public right of way. The road currently benefits from a mature hedge stretching right across the sites front boundary that provides a green and attractive setting for the public right of way.

No information has been provided as to the relationship between the proposed houses and surrounding buildings (apart from Byways). Potentially the tall three storey houses would be fairly prominent and obtrusive when viewed from the surrounding buildings and wider locality. Portsmouth Road and its properties would be particularly affected as they are situated on much lower ground to the proposal.

Residential Amenity

To the south of the site is a row of shops, the nearest back onto the application site and have residential accommodation on the upper two floors. The primary windows overlook the application site and would appear to be well within 12m (approx 8.5m) of the side wall of house one. The blank two storey side wall would severely restrict the outlook from these windows, particularly as the proposal is located on higher grounds. The proposal would also restrict daylight and sunlight into these properties as the development is due North. The side windows in Byways have also been considered, but these should not be affected as most are not primary windows or the applicant is planning to relocate to the back of the house.

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

The windows for the new houses will be located at the front and rear. In this position the upper floor and dormer windows are going to increase levels of overlooking into the neighbouring gardens. This will be particularly harmful for Amberwood that also have primary windows facing towards the application site. As well as overlooking, the houses physical presence will make the neighbouring gardens feel more enclosed and affect the enjoyment of their properties.

Highway Issues and Public Right of Way

The proposal indicates that two car parking spaces will be available for each house. These will be located on driveways at the front of the site and accessed of the unmade road. However, concern has been raised about the usability of these parking spaces which are limited due to their length with limited space to manoeuvrability and their sharp levels difference. As a result the new residents are likely to park their cars on the road outside their properties, which is often fully occupied by cars for neighbouring residents and shoppers. Even if these driveways could be utilised their physical presence would reduce the space available for on road car parking. This is in direct conflict with the character area guidance, which states that new developments must minimise the requirements for on-street car parking.

The development would result in existing parking being displaced elsewhere in other nearby roads, such as Sunnyfield Rise where there are already issues with obstructive and on -footway parking. This would cause a hazard for highway safety. The area outside the property is also a designed footpath and an objection has been raised by the Rights of Way Officer on the grounds of obstruction and loss of the hedge. Although the physical development would not obstruct the right of way, it is considered that off site car parking associated with the development could impact on the right of way.

Environment

Supplementary Planning Document: Environmentally Sustainable Development requires applications for new housing to include a pre-assessment indicator. This explains how the proposal intends to meet level 4 of the Code for Sustainable Homes and the Councils essential requirements. Although the submission included a sustainability statement, no pre-assessment indicator was included. Therefore a condition would be required to ensure the development met the appropriate environmental standards.

In terms of ecology, the site has already been cleared and so there are no significant trees or unlikely to be protective species. The proposal involves the loss of the hedge, but this is not considered to have a high biodiversity value and does not require planning permission to be removed.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and legislative background.

CONCLUSIONS

The proposal is considered to conflict with relevant Development Plan policies. The development is recommended for refusal.

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