REF. NO. «AltRef»

MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/15/76072

DESCRIPTION	Construction of a detached 5 bed dwelling and detached double garage with first floor accommodation following demolition of existing terrace dwellings.
ADDRESS	Flats 1-3 Wessex Manor Satchell Lane Hamble-Le-Rice Southampton SO31 4HS

SITE VISIT DATE	28 April 2015
ARE PLANS ACCURATE?	It is considered that sufficient information has been provided to allow for the assessment of the development proposed.
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes. A site notice was also displayed advertising the proposals in the public interest.

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application seeks planning permission for the construction of a detached five bedroom, two-storey dwellinghouse, following the demolition of the existing building on the site. The proposals also include the provision of a detached double garage with ancillary office space above, with this being sited to the southern side of the property. The development will utilize the existing access into the site which itself is accessed via a shared entrance off Satchell Lane that also serves the cluster of dwellings to the south-west.
SITE AREA	The area of the site is stated to be 2,790 sqm.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	3.58 dwellings per hectare.
TOPOGRAPHY	The application site slopes down in a north-westerly direction. There is also a further slope down to the south which results in the cluster of dwellings to this side being set on a lower ground level than the building containing Flats 1-3 Wessex Manor.
TREES	There are a number of trees on and in the vicinity of the application site including to its south-western side and along sections of its western boundary, with these providing for a degree of screening for the current building from Satchell Lane. There are further trees within what is proposed to be the rear garden of the new dwelling, beyond which there is a dense wooded area which surrounds the site to its north and eastern sides (Badnam Copse) and part of which is designated as ancient woodland.
BOUNDARY TREATMENT	The front / eastern boundary of the site which runs alongside the public bridleway consists of a mixture of fencing, trees and planting. Part of the southern boundary is marked by timber panel fencing where this borders the driveway of the neighbouring dwelling, Wessex Bungalow. As noted above, there are trees and areas of woodland beyond the rear and northern side boundaries of the plot. The vehicular access into the site from Satchell Lane is bounded by a brick wall to either side.

REF. NO. «AltRef»

THE SITE AND ITS SURROUNDINGS

SITE CHARACTERISTICS	The application site currently consists of a single storey flat roof building of a U-shaped footprint which is constructed of red brick and having sections of its exterior walls cream rendered. The central section of the building was constructed in the late-1950s and adjoined what was an existing flat-roof structure to its southern side. It has since been further extended and later split to be used as three separate units for which a certificate of lawfulness was issued in 1999. The site is accessed by a vehicular entrance from Satchell Lane to the south which also serves the neighbouring cluster of dwellings to this side. There is a separate access which then leads off this and up to the current building. This access is bounded by trees and planting along its southernmost section, with it then opening out into an area of hardstanding to the front of the property which provides for off-road parking for the occupiers of the building. The rear of the plot consists of a predominantly grassed area which is interspersed by trees.
CHARACTER OF LOCALITY	The site falls within designated countryside and local gap and forms part of a small group of residential properties to the eastern side of Satchell Lane at the point where the road turns from an easterly to a southerly direction, before continuing on towards Hamble centre which lies approximately 2km further along the road. The three properties to the southern side of the site are formed of an attractive mix of single, one-and-a-half, and two storey adjoining buildings which surround a central courtyard area, this being accessed from Satchell Lane to the west. These properties, owing to their recessed positioning and the surrounding clusters of trees, are fairly well screened from Satchell Lane with only partial views into the site being afforded from the road. There is a public bridleway which runs alongside the eastern boundary of the application site which links Satchell Lane with Mallards Moor to the north, with this crossing the railway line along its route. This bridleway is bordered to its western side by green fields which are used for the grazing of horses. The disused Hamble Airfield lies on the opposing side of Satchell Lane with their being dense woodland to the north and east of the site, beyond which is Badnam Creek and the River Hamble.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
WIR5900	The erection of a bungalow	PERMIT – 15/09/1958
Z/24249/000	The erection of three detached dwellings with garage block, demolition of existing	REFUSE – 12/03/1980

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/24249/001	Erection of three linked single storey dwellings – demolition of existing terrace	REFUSE – 13/06/1980
Z/29756/002	Erection of single storey dwelling (following demolition of existing flat and outbuildings)	PERMIT – 10/11/1987
Z/29756/001	Outline: Erection of three dwellings following demolition of existing buildings	REFUSE – 21/09/1988
Z/29756/002	Outline: Erection of 3 replacement dwellings	REFUSE – 21/12/1988
Z/29756/003	Outline: erection of replacement 4-bedroom detached house	GRANT OUTLINE PERMISSION – 05/05/1989
Z/35338/000	Outline: demolition of existing dwelling currently used as three flats and construction of new dwelling	GRANT OUTLINE PERMISSION – 10/08/1998
Z/29756/004	Certificate of lawfulness for existing use as three residential units	CERTIFICATE ISSUED – 27/08/1999
Z/36505/000	Construction of 3 dwellings with associated landscaping following demolition of three existing dwellings	PERMIT – 18/01/2000

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Hamble Parish Council	Hamble Parish Council resolved to leave the decision to the officer.
Fisher German on behalf of GPSS (Government Storage and Pipeline System)	Confirmed that the proposals are not directly impacting upon GPSS's apparatus, however, requested that should the works extend outside of the red line that they be contacted accordingly in order to reconsider and re-advise on the proposals.
Fisher German on behalf of Esso Petroleum Company Ltd	Confirmed that Esso does have apparatus situated near the proposed works, however, raised no objections subject to the measures as set out in their guidance booklet 'Special Requirements for Safe Working' and the covenants in the Deed of Grant are adhered to.
Head of Transportation and Engineering	No objection subject to conditions requiring the submission of a Construction Traffic Management Plan and details of foul and surface water drainage prior to the commencement of development, as well as the provision of the areas for car parking as shown on the submitted plans prior to occupation of the dwelling and there continued retention thereafter.
Head of Environmental Health	The Head of Environmental Health noted that the development: is located in close proximity to neighbouring residential dwellings; include the demolition of the existing dwelling; is located within 250m of a former landfill site; and, the natural geology of the area is sand which is a highly

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	permeable strata. Conditions were recommended in relation to the requirement for a construction management plan that has due regards to noise and dust control measures, as well as restricting hours of work in the interests of amenity, and prohibiting on site burning. A note was also requested to be applied to the decision notice to advise the applicants to engage with the Environmental Health Team in relation to the potential for contaminants in the ground associated with the former landfill site which lies in nearby proximity to the development.
Head of Countryside and Trees (Tree Officer)	I can confirm that I do not object to the above application. Please condition the following: 1. The development must accord with the Arboricultural Report produced by Certhia Consulting dated March 2015. Protective fencing and ground protection must be erected as per the Tree Protection Plan enclosed within the report. Reason - To retain and protect the existing trees which form an important part of the amenity of the locality. 2. No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and a representative from the Local Planning Authority. Work cannot commence until the LPA officer has inspected and approved the tree protection, ensuring it conforms to the Tree Protection Plan and the Method Statement. Once approved no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the fenced area. The fencing shall be retained in its approved form for the duration of the work. All other aspects of the Method Statement will be addressed at this meeting. This condition shall not be discharged until an arboricultural supervision statement, the contents of which are to be discussed and agreed at the pre-commencement meeting, is submitted to and approved in writing by the Local Planning Authority on completion of development. Reason - To retain and protect the existing trees which form an important part of the amenity of the locality.
Head of Countryside and Trees (Biodiversity Officer)	Whilst no formal written comments were received in respect of the application, the Council's Biodiversity Officer verbally confirmed that they had no objection to the proposals. This is subject to the imposition of a condition requiring the submission of details of boundary treatments for approval by the LPA prior to the commencement of any development in the interests of protecting and limiting the impact upon the SINC (Badnum Copse).

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary

REF. NO. «AltRef»

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Designated Local Gap Within Designated Countryside Adjacent to and Partially Within a Site of Importance for Nature Conservation In the Proximity of the Government Oil Pipeline Adjacent to the Old Bursledon Conservation Area

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011), Saved Policies 1.CO (Protection of countryside), 3.CO (Local gaps), 8.CO (Replacement dwellings in the countryside), 23.NC and 25.NC (Biodiversity), 59.BE (Promoting good design), 100.T (Minimise Travelling), 104.T (Parking),
Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising: Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014, Strategic Policies: S9 (Countryside and countryside gaps). Development Management Policies: DM1 (General criteria for new development), DM23 (General development criteria – transport), DM24 (Parking), DM26 (Residential extensions and replacement dwellings in the countryside).
Supplementary Planning Document: Quality Places
Supplementary Planning Document: Biodiversity
Supplementary Planning Document: Environmentally Sustainable Development
Supplementary Planning Document: Residential Parking Standards

CHARACTER APPRAISAL AREA

n/a

SPECIAL POLICY AREA

The site does not fall within a designated special policy area.

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework (NPPF).

The following sections and paragraphs of the NPPF are considered to be of relevance to this application:

- **Paragraph 6** states that "the purpose of the planning system is to contribute to the achievement of sustainable development" which is composed of three main and mutually dependent elements as set out in paragraphs 7 and 8, these being economic, social, and environmental.
- **Paragraph 14** outlines the presumption in favour of sustainable development that lies at the heart of the NPPF and states that for decision taking this means approving development proposals that accord with the development plan without delay; and, where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework.
- **Paragraph 17** states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and that is should take account of the different roles and characters of different areas which includes

NATIONAL PLANNING POLICY GUIDANCE

recognising the intrinsic character and beauty of the countryside.

- **Section 7** explains that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (Para. 56). It also states (para. 58) that decisions should aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials; and are visually attractive as a result of good architecture and appropriate landscaping.
- **Paragraph 215** states that following a 12-month period after the publication of the NPPF, due weight should be given to relevant policies in existing local plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the principle of the development proposed, layout and design, residential amenity, trees, nature conservation, highway matters, and the impact of the proposals on the character of the area and countryside setting of the site.

COMMENT ON CONSULTATION RESPONSES

The content of the consultation responses received is noted with the matters raised being covered in the below assessment of the proposals where necessary and appropriate.

COMMENT ON REPRESENTATIONS RECEIVED

No third party representations were received in relation to this application.

PLANNING OBLIGATION/CONSIDERATIONS

As the proposals will involve a decrease in the net number of residential properties on the site (from 3 to 1) there is considered to be no requirement for planning obligations as part of this application.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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."

MATERIAL CONSIDERATIONS

Principle:

The application site lies outside of the urban edge and within designated countryside where the general principle of development is not usually considered to be acceptable unless it is for justifiable agricultural, horticultural or recreational purposes. Saved Policy 8.CO does, however, allow for the

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

provision of replacement dwellings within the countryside subject to a number of specified criteria being adhered to. The principle of the demolition of the existing building which contains three units, with a single residential property is therefore 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 in accordance with the criteria of Saved Policy 8.CO along with the other relevant Local Plan policies, supplementary planning documents, and national planning policy.

Layout, design and impact of the proposals on the character of the area:

The application proposes the construction of a detached five-bedroom dwelling with a detached double garage to its southern side. The existing building, a flat-roof structure of a single storey height which is subdivided into three separate residential units, is to be removed in order to facilitate the development proposed. This building is noted to be of very limited architectural merit, particularly when viewed against the more visually appealing cluster of dwellings to its south-western side which are formed of a mix of single, one-and-a-half and two storey adjoining elements surrounding a central court yard area, something which contributes notably to their character and attractive setting. Despite its architectural shortcomings, the current building, owing to its single-storey flat-roofed nature, simple form and modest footprint, has a particularly modest presence and whilst partially visible from the public bridleway which runs alongside its western boundary, a rather low-key visual impact upon its countryside setting. This also being something which, albeit perhaps to a lesser degree, is also true of the aforementioned neighbouring dwellings as a result of their recessed positioning from the road and the notable screening afforded by the surrounding trees from Satchell Lane.

The Local Planning Authority raises no fundamental objection to the loss of the current building. Indeed it is considered that its demolition presents an opportunity to provide a high quality replacement dwelling which, in design terms, takes more appropriate account of the context of the site and better complements the neighbouring buildings, whilst at the same time not increasing its physical or visual impact on the character and appearance of its countryside or local gap setting to a degree which is considered to be unacceptable. It is not, however, considered that this is fulfilled by the particular development proposed.

The proposed dwelling would be of a substantial size, spanning a full two-storey height and being of a significant massing and scale, particularly when viewed against the single-storey, low-profile structure that it would replace. Whilst it is accepted that some increase in the relative height of the structure would be necessitated as part of an appropriate replacement scheme, it is considered that the proposed building is unacceptably excessive and unduly disproportionate in this regard. This when taken with the property's substantial scale and siting in notably closer proximity to the public bridleway which runs parallel to the eastern boundary of the site and from which, even with the additional landscaping proposed, it would be prominently and somewhat obtrusively visually apparent, as well as the degree of increased visibility from Satchell Lane that would be afforded as a result of the associated detached garage's positioning in particular, would result in a development that would have a substantially increased and notably harmful visual and physical impact upon its countryside and local gap setting, to the detriment of its character and appearance.

In addition, the proposed dwelling takes insufficient account of its context and specifically to the character and nature of the existing buildings which would neighbour it to its southern side and to which its design, scale, form and siting pays little regard. These buildings, whilst not listed or protected in any way, are as set out above a varied mix of single, one-and-a-half, and two storey adjoining properties, which combine to form a fairly attractive group of dwellings clustered around a central courtyard and which have a fairly limited impact upon their surroundings, owing much to

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

their lower-profile, varied form and relative recessed positioning from public views. The present structure on the site which is to be demolished, whilst being of limited architectural merit, does at least have a degree of subservience to the larger neighbouring cluster and indeed it is considered that any replacement scheme should pay due regard to the form and existing hierarchy of buildings. The proposed dwelling, however, notably fails to do this and by stark contrast to the present structure is of a substantial scale, height and built form which, when taken with its advanced positioning and slightly elevated ground level, would result in development which is visually overdominant of and incongruous with the neighbouring properties, to the detriment of their prevailing character as well as that of the immediate locality within which they fall.

For the reasons given, therefore, the application is considered to be in conflict with Saved Policies 1.CO, 3.CO, 8.CO (ii) and 59.BE (i) of the Eastleigh Borough Local Plan Review 2001-2011, as well as Policies S9, DM1 and DM26 of the Submitted Eastleigh Borough Local Plan 2011-2029.

Highway matters:

Saved Policies 59.BE (v.) and 104.T of the Eastleigh Borough Local Plan Review 2001-2011 respectively require that development have a satisfactory means of access and layout for vehicles and provide adequate on-site parking in accordance with the requirements of the Council's adopted standards, these being set out in the Residential Parking Standards Supplementary Planning Document (January 2009). This document requires that dwellings of four bedrooms or more provide three on-plot car parking spaces. There is adequate provision proposed within the detached double garage as well as upon the driveway to the front of the property in order to meet this requirement. The existing access to the dwelling will be unaltered from that which presently serves the current building on the site with this being considered to be of a suitable nature to serve the development. As such the proposals are considered to be compliant with the aforementioned SPD and Local Plan policy requirements in this respect.

The other highway matters for consideration are in relation to the construction phase of the development. The Council's Head of Transportation and Engineering has requested that submission of a Construction Traffic Management Plan prior to commencement of any demolition or construction works to cover such matters as contractor and delivery routes to the site, on-site parking areas for contractors, on-site material storage areas, and wheel washing facilities. Taking account of the constrained nature of the access to the site, the fact that this is partially shared with neighbouring dwellings, and the position of the site on a bend of the road (Satchell Lane), it is considered that the provision of such details would be necessary in the interests of protecting both highway safety as well as neighbouring amenity. This matter could be adequately covered by way of a planning condition.

Residential amenity:

Saved Policy 59.BE (vii.) of the Eastleigh Borough Local Plan Review 2001-2011 requires that development proposals avoid unduly interfering, disturbing or conflicting with adjoining or nearby uses, especially in terms of noise, fumes, dust overlooking, loss of daylight, loss of outlook, vibration, or from floodlighting or security lighting.

In this respect and as a result of the siting of the proposed dwelling, the primary consideration concerns the relationship of the development with the properties to its southern side and most notably Wessex Bungalow which would be within closest proximity. Owing to the relative orientation of the buildings to one another as well as the degree of separation that would exist between them, it is not considered that the proposals would be adversely harmful to the amenity of the occupiers of

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

this property by way of loss of light, outlook or overbearing impact.

With regards to the matter of overlooking, there is considered to be some potential for this to occur from the first floor side facing windows in the development and the proposed rear balcony into the central section of Wessex Bungalow's northern elevation which contains both habitable windows as well as an area of amenity space. Given that the windows proposed, however, either serve bathrooms or are secondary bedroom windows, it is considered that their potential impact could be adequately mitigated by way of a condition to require them to be obscure glazed and to restrict the manner in which they are openable. On balance, it is also deemed that the potential loss of privacy resulting from the balcony could be overcome through suitable screening to its south-western side and this again could have been covered by condition had the application been recommended for approval.

In terms of the matter of the physical demolition and construction processes, it is acknowledged that as per the comments of the Council's Head of Environmental Health, the nature of such works and the restricted access to the site down a narrow unmade road, has the potential to impact upon the amenity of the occupiers of neighbouring residential properties. Accordingly, should the application have been recommended for approval, conditions restricting hours of work and such matters as on-site burning, as well as to necessitate the submission of a construction and demolition management plan prior to the commencement of any works in this regard, would have been imposed accordingly in the interests of ensuring both satisfactory access and to protect the amenity of neighbouring properties.

With the imposition of the aforementioned conditions, there is considered to be no conflict with the requirements of Saved Policy 59.BE (vii.) such as to justify the refusal of the application on these grounds.

Trees:

Saved Policy 59.BE (i) of the Eastleigh Borough Local Plan Review 2001-2011 requires that development is appropriate in respect of its siting, both in itself and in relation to natural features and trees worthy of retention. There are a number of trees on and in close proximity to the application site. The application is supported by an Arboricultural Report which provides a survey of the existing trees, an assessment of the impact of the proposed development upon them, as well as a statement to set out measures for their protection during construction. The Council's Tree Officer has reviewed this information and as noted above, has confirmed that they have no objection to the proposals subject to the imposition of conditions which require that the measures as set out in the Arboricultural Report are adhered to. It is accordingly deemed that the application therefore complies with the aforementioned policy requirement in respect of the matter of its impact upon existing trees and in nearby proximity of the site.

Nature conservation:

The site lies adjacent to an area of ancient woodland as well as being partially within the boundary of a Site of Importance for Nature Conservation (Badnam Copse). The Solent SAC, SPA and Ramsar sites also lie further to the east, although the development itself lies outside of the 200m buffer for HRA Screening in this regard. The proposals also include the demolition of an existing building in order to facilitate the construction of the new dwelling. The Council's Biodiversity Officer has reviewed the proposals and provided verbal comments in respect of the application to confirm that there are no objections on nature conservation grounds and that they are satisfied that given the nature of the development and its siting, there will be no undue impact upon the nearby

REF. NO. «AltRef»

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

European designated sites.

A condition was, however, requested requiring the submission of details of boundary treatments for approval prior to the commencement of development in order to ensure that these are appropriate and that there will be no unacceptable harm caused to the Site of Importance for Nature Conservation which the site falls partially within. There is therefore considered to be no conflict with the requirements of Saved Policies 23.NC and 25.NC of the Eastleigh Borough Local Plan Review.

Conclusion:

Overall, for the reasons as outlined above, the application is considered to conflict with the requirements of the relevant development plan policies, associated supplementary planning guidance, and national planning policy.

OTHER MATERIAL CONSIDERATIONS

Also of relevance Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. 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

It is recommended that planning permission be refused.