REF. NO. F/17/79894

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Construction of detached two storey 4 bedroom dwelling & detached garden gym, following demolition of existing bungalow. Abbey Court, School Lane, Hamble-Le-Rice, Southampton, SO31 4JD

SITE VISIT DATE – 02/03/2017

ARE PLANS ACCURATE? – The submitted drawings and supporting information are rather lacking in consideration of the surrounding context but are nonetheless sufficient to determine the application.

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? – Yes and site notice displayed.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for the demolition of the existing rather sprawling, albeit low level 1960s bungalow, with a full two storey dwelling.
SITE AREA	Approximately 1600 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	No change at 6 dwellings per hectare.
TOPOGRAPHY	Generally flat and level.
TREES	There are a number of modest but not insignificant trees within the boundary hedge between the application site and the neighbouring church yard, which play an important part in terms of the setting of the church. There is also a sizable tree on the boundary with 'Laren', High Street, to the north of the site and adjacent to the access track which leads to High Street. While this tree is not protected and is not within the conservation area, it is nonetheless a third party tree and will require protection.
BOUNDARY TREATMENT	The western and southern boundaries with the adjoining church yard are marked by a 2.0 – 2.5 metre high evergreen hedge, with some individual trees. This hedge runs the full length of the western and southern boundary all the way from High Street and forms an important part of the backdrop for the churchyard and War Memorial. The northern boundary is marked by a 2.0 metre high timber fence, with some planting and the eastern boundary with 'Cedar Lawn' is marked by a 1.2 metre high brick wall with some trellis above.
SITE CHARACTERISTICS	The present property is a sizable detached single storey bungalow, probably originally dating from the 1960s but with a number of later additions. It appears that there may well be some mezzanine accommodation to one portion but this is very modest.

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THE SITE AND ITS SURROUNDINGS

	The bungalow wraps around an outside swimming pool and patio, thereby making good use of the southerly aspect and views towards the attractive mature garden and eastern gable end of the church. To the front is a parking area with attached double garage. The main access is from Church Lane via a shared private driveway, but there also appears to be separate but unused access directly from High Street running adjacent to the western boundary with the churchyard.
CHARACTER OF LOCALITY	The surrounding area is predominantly residential in nature and made up of a wide range of dwelling types of varying ages and architectural styles. While the application site is not within the Conservation Area, it is surrounded by it to the north, west and south. Of particular note is the neighbouring Grade II* Listed St. Andrew's Church. The site also lies in the transition are between 'Old Hamble' and more recent Twentieth Century extensions of the village.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/06/57619	Single storey rear extension.	Approved Sept 2006
Z/14676/002/00	Single storey side extension.	Approved Jan 2003
Z/14676/001/00	Provision of pitch roof to existing garage and new entrance porch.	Approved Jul 1991

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Earl – 'Laren', High Street	Concerns that eh proposal would detract from the conservation area and adjacent churchyard due to its overall height and scale. Concerns that there would be loss of privacy and that the proposed garden store would be built very close to the site boundary and would impact upon their visual amenity and outlook.
Widnall – 'Ferndale', High Street	Object. Too imposing and out of character with surroundings, the neighbouring church and churchyard. The close proximity of the garden store to the site boundaries and neighbouring properties. Inappropriate materials proposed. Disturbance during construction and if allowed would set an undesirable precedent for the area.
Woolcock - 'Ferndale', High Street	Object. Proposal is out of character with its surroundings. Increased scale will result in overlooking of neighbouring homes and gardens. Disturbance during construction. If approved would set a precedent which would harm the neighbouring churchyard and Hamble.
McKay & Gardiner – 'Church Cottage', High Street	Object. Impact upon sensitive listed buildings and surrounding conservation area. Current building is unobtrusive, that proposed will be very visible and have an adverse impact. Impact upon neighbours in

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	terms of overlooking and visual impact. Visually intrusive and inappropriate materials proposed. Garden store is impact war memorial and High Street.
Hulme – 'Long Reach', School Lane	Object. The size of the proposed dwelling is out of proportion with neighbouring properties and would be too intrusive. All upper floor windows would overlook garden. Would be out of context will all surrounding bungalows.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Conservation Officer	While this application site is not in the Conservation Area it is right on the boundary and more importantly, right on the boundary of the Churchyard which is Grade II* listed. This includes not only the building but the whole curtilage or site including the boundaries and their treatment. The existing bungalow appears as just a receding roof and one low profile gable with window just above the hedge line and partly shielded by a tree in the churchyard, depending on one's viewpoint. This is currently very low profile that hardly registers as one passes on the road entering the core of the village. This proposal will have a very significant and detrimental effect on the setting of the listed churchyard and church on entering the core of the village and even more to those walking or using the church and churchyard. The design and access statement claims the design is sympathetic to the site location and providing a highly energy efficient family home. Unfortunately I have great difficulty in accepting these claims as the increase from one to two full storeys is a significant change and with the neighbouring property to the east being of a similar design to the existing. With regard to the energy efficiency, the large area of atrium glazing facing due north seems quite contrary to these aspirations. The 'garden store' which appears more the size of a long garage is jammed into the pedestrian link to the High Street and is likely to endanger both hedges and trees from what I can see, therefore again having a harmful effect on the setting of the Church.
County Archaeologist	The site is located within the historic core of Hamble-Le-Rice, in an Area of High Archaeological Potential (AHAP). However, the footprint of the proposed new building is largely located within that of the current bungalow, an area that will have been severely impacted by this modern development. Any archaeological features within this footprint will have been either removed or heavily truncated. Any ground works beyond this footprint will be very small in scale and would be unlikely to expose any interpretable archaeological features that would add to our understanding of earlier phases of the settlement. I would therefore not wish to raise any archaeological issues in this instance.
Hamble-le-Rice Parish Council	Resolved to leave the decision to officers.

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POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Adjacent to Designated Conservation Area Within Site of Archaeological Interest Affects Setting of Listed Building Listed Building Grade II*

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

Eastleigh Borough Local Plan Review (2001-2011), saved Policies 25.NC, 28.ES, 34.ES, 59.BE, 104.T, 168.LB, 169.LB, 171.LB, 174.LB & 175.LB

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' Policies DM1, DM9, DM10, DM24, DM25 & DM29

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

NATIONAL PLANNING POLICY GUIDANCE

The National Planning Policy Framework (NPPF) supports and encourages sustainable development which is considered to have three roles, economic, social and environmental. Paragraph 8 of the NPPF states that "These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions."

Paragraph 17 sets out twelve core principles that underpin the planning system, one of which is that planning should "always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings".

Paragraph 56 of the National Planning Policy Framework states that "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

Paragraph 60 states that "policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative…" It goes on to state that "It is, however, proper to seek to promote or reinforce local distinctiveness."

While the appearance of buildings is important, paragraph 61 of the NPPF states that "securing high quality inclusive design goes beyond aesthetic considerations. Therefore, planning policies and

NATIONAL PLANNING POLICY GUIDANCE

decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

It goes on to say in paragraph 64 that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

It goes on to state in paragraph 137 that, "Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the relevant Local Plan policies and the principle of that proposed, its layout, design and impact upon the street scene and character of the surrounding area, impact upon the neighbouring listed building and churchyard, archaeology, upon the amenity of neighbouring properties, environmental sustainability, traffic and parking, as well as nature conservation.

COMMENT ON CONSULTATION RESPONSES

See below.

COMMENT ON REPRESENTATIONS RECEIVED

All comments are noted and responded to where appropriate below.

PLANNING OBLIGATION/CONSIDERATIONS

n/a

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."*

In addition, the proposal affects a Listed Building or its setting and section 66(1) of the Planning (Listed Building & Conservation Areas) Act 1990 states:

> *"In considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority … shall have regard to the desirability of reserving the building or its setting or any features of special architectural or historic interest which it possesses".*

The site also lies adjacent to a Conservation Area and Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

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"In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

In this case policy issues for consideration include:

Policies & 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 in accordance with the relevant Local Plan policies and Supplementary Planning Documents. The most relevant policy in this case 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, cyclists and pedestrians, to make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes. Also of relevance is Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029, July 2014, which essentially reiterates the above requirements.

While not within the Hamble Conservation Area, saved Policy 169.LB is still of relevance. This policy requires any development within of affecting the setting of a designated conservation area to preserve or enhance the character or appearance of the conservation area or its setting, to not detract from the character of the area or street, be appropriate in terms of its mass, scale, design and materials, and to be sympathetic to existing buildings and the particular character of the area. These requirements are reiterated in Policy DM10 of the Submitted Local Plan.

Also of relevance is Policy 171.LB which relates to the setting of buildings with a conservation area. This states that "Applications for development which affect important townscape or landscape features in conservation areas will only be permitted where the qualities of those features are retained."

Given the close proximity of St. Andrew's Church and churchyard Policy 174.LB of the Eastleigh Borough Local Plan Review (2001-2011) also applies. This relates to the alteration or extension of a Listed Building or any development within the curtilage of a Listed Building and states that development will not be permitted if it would result in a detrimental impact on the building or its setting. While strictly speaking the application site is not within the curtilage of the listed building, it does immediately adjoin, meaning that saved Policy 175.LB is also of relevance. This policy clearly states that "Development which would have a detrimental impact on a building of local importance or its setting will not be permitted."

In very basic principle terms therefore, the replacement of the present dwelling with new is acceptable. However, the form, scale and design of that proposed must ensure that it is appropriate for its setting and surrounding context, something that is important in any case but even more so given the prominent position of the site and its very close proximity to the neighbouring Grade II* Listed church and surrounding conservation area.

Layout, Design, Street Scene & Area Character – As mentioned above, the existing bungalow, while not small in footprint, is nonetheless fairly low key given its modest height and fairly shallow pitched roof. This, together with its east-west orientation means that it only presents the very top of a modest gable end towards the neighbouring churchyard, which is the most public vantage point of the present property. Any significant alterations to the present bungalow, particularly any increase in height, will have a considerable impact upon not only the adjoining churchyard but also upon the entrance into 'Old Hamble'.

St. Andrew's Church is set well back from High Street, which is the main route into Hamble Square

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and the older historic core of the village. Its churchyard provides a clear and easily visible separation between the old and new parts of the village, that to the east and closest to the river dating from Medieval times and containing many historic and listed buildings, with most development to the west being the later Twentieth Century expansion of the village. While the churchyard does have a number of trees within it, on the whole it is an open piece of ground with clear views across to the church and neighbouring development when stood on or travelling along High Street. This being the case, any development of the application site or its neighbours needs to be particularly sensitive to the prominence and visual importance of the churchyard, not only in terms of it and the church's listed status but also for its importance as a transition between historic Hamble and newer Hamble.

That proposed is a full two storey dwelling with a traditional arrangement of living spaces at ground floor level and bedrooms at first floor. The supporting statement with the application makes reference to the desire to create a modern environmentally friendly building to replace the presently inefficient bungalow. This is a welcome ambition and something that the authority encourages. However, while an important material consideration which does carry weight, in this instance the impact of the proposal upon the neighbouring listed church and churchyard, together with the setting of the conservation area and this important transitional part of the village is considered to carry more weight. Little or no reference to the listed building is made or the site's proximity to the conservation area, instead making reference to the varying types of architecture found in Hamble as a whole.

The design of the proposed dwelling itself is considered to be rather confused and disjointed. It is neither traditional nor contemporary, pays little heed to its surrounding context, and does not make best use of a potentially very attractive site. It is essentially a large box with various elements appearing to be tacked onto it. The elevations and fenestration are poorly composed and the choice and use of materials (render, timber cladding, stone cladding, glass, sedum roofs and composite eco-slate) appears to be rather random and ill considered. Also, some of the choices made with regards to the internal layout and whether the space is being used to its best advantage are also questioned, particularly considering part of the justification for replacing the present bungalow is to provide a 'more compact' property. It is accepted that the footprint of that proposed is marginally smaller than the present bungalow, but that proposed is over two floors as opposed to one.

There is no objection to a more modern and contemporary design approach being used, or to wanting to provide a more environmentally friendly property. However, this needs to be undertaken in a way which pays proper respect to the site's surrounding context, particularly if that context has local and historic significance. That proposed is in no way considered to be respectful or sympathetic to this important historic context and would result in an unacceptable and detrimental impact to the setting of the listed building, the conservation area and the immediate site surroundings. As such the application is considered to be contrary to saved Policies 59.BE, 169.LB, 171.LB, 174.LB & 175.LB of the adopted Local Plan, Policies DM1 and DM10 of the Submitted Local Plan, and the Council's 'Quality Places' SPD.

In addition to this is the proposed detached garden store which is adjacent to the war memorial. That proposed is shown as being positioned hard up against eth boundary with the memorial and churchyard, as well as the boundary with the 'Laren'. Both of these boundaries are lined by mature evergreen hedges. It is unclear how far these hedges encroach into the boundaries of the site but it is highly likely that any significant cutting back of the hedge and the construction of a building in this position would have a negative impact upon the health and appearance of both. This is of particular importance in terms of the visual impact upon the war memorial and the churchyard. Presently the boundary hedge provides an appropriate and respectful backdrop to the memorial, something that a white rendered and flat roofed garage/store building could not. This too therefore

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is not considered to be acceptable due to its likely impact upon the conservation area and listed churchyard and is recommended as a separate reason for refusal.

Listed Building & Churchyard – St. Andrew's Church is a Grade II* listed building, one of two in Hamble and only nine in the Borough as a whole. It originated as a small Benedictine Priory dating from the early Twelfth Century and is listed for its age, design and interior. Included within this listing is the churchyard, with a separate listing for the old vicarage. As mentioned above, it is an important part of the village and also includes the village war memorial.

As highlighted above, the present bungalow has a relatively limited visual impact upon the church and churchyard due to its low height, orientation and form. That proposed, being of a two storey scale and of the appearance and design proposed, together with the proposed garden store, would have a considerable impact upon the visual amenity of both the church and churchyard, to the detriment of both. As such that proposed is not considered to take appropriate heed of the importance of these historic assets or to pay sufficient respect to them and the importance of their purpose. The proposal is therefore considered to be contrary to saved Policies 171.LB, 174.LB & 175.LB of the adopted Local Plan and Policy DM10 of the Submitted Local Plan.

Archaeology – Being adjacent to a Twelfth Century priory, there is the potential for important archaeological remains to be present on site. However, as has been commented by the County Archaeologist, given that the proposed dwelling would largely be on the same footprint as the existing bungalow, which has likely already destroyed any possible remains, no objection has been raised.

Residential Amenity – Concerns have been raised by neighbours that the creation of a two storey property would result in overlooking and loss of privacy from first floor windows. These concerns are fully understood but could not be used as a reason to refuse the application in this instance. The proximity of the proposed dwelling to neighbouring properties, together with the orientation of the main habitable room windows is such that no significant levels of overlooking or loss of privacy would occur. Those windows to the northern elevation are either to the entrance atrium/landing or a bathroom, which could be conditioned as obscure glazed if deemed necessary and are more than the minimum 22 metres distance between first floor facing windows as is required by the Council's 'Quality Places' SPD.

In terms of visual intrusion, it is noted that the doubling in scale from that at present would certainly have a noticeable impact upon the outlook from some neighbouring properties. However, given the distances involved, it would be hard to substantiate a reason for refusal on the grounds of loss of outlook or visual dominance.

With regards to other amenity issues such as loss of light, again the distance between dwellings is such that no unacceptable loss of light or overshadowing would occur.

As to the issue of disturbance during construction, this would be inevitable to a degree. However, if approved suitable conditions could be applied to ensure that the amenity of neighbours is not unduly affected, such as restricting working hours, etc.

Environmentally Sustainable Development – As has been mentioned above, the main justification for the proposed dwelling is that it would replace the currently inefficient bungalow with a more environmentally sustainable and energy efficient dwelling. While a very welcome ambition, nothing more than this aspiration has been provided in support of this statement. No details have been provided as to how this ambition has resulted in the design put forward. In fact there are a number of features which would appear to be contrary to that which would normally be found as part of an environmentally conscious design, such as the large glass atrium which faces north, and the lack of any natural shading to the extensive glazing on the southern elevation to prevent overheating. If indeed the idea is to look at a 'fabric first' approach and to provide a more 'compact'

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design, then a dwelling of such a considerable floor area and multi-facetted design would not be the result. This fabric first approach is that used for passive house designs where the most effective approach is to limit the external surfaces of the building to the minimum possible, thereby reducing any possible heat loss to the bare minimum, as well as ensuring that the building does not overheat through excessive solar gain.

While this lack of any detailed information is not considered to be contrary to any policies or intended to be used as a reason for refusal, it certainly does not appear from that submitted that these environmental aspirations have been achieved as efficiently as they could be or in a way which could provide a more interesting and respectful design.

Traffic & Parking – In terms of traffic generation and parking, there are no concerns and the relevant saved policies of the adopted Local Plan would be met. However, the access to the garage as proposed is questioned. The garage door is actually located at the back of the garage, i.e. furthest away from the driveway. This would mean that any vehicle wishing to park within it would have to be manoeuvred around the garage in a very tight space. This arrangement is rather impractical and again raises the question as to how well the design as a whole has been thought through.

Nature Conservation – It is not considered that there would likely be any impact upon local biodiversity of habitat if the present bungalow were to be replaced. As such the proposal is not considered to result in a likely significant impact on a European Protected site (SPA, SAC or Ramsar). HRA (Habitat Regulations Assessment) screening was not required for this development as it falls outside/inside the designated zone of impact.

The site does fall inside the 5.6km buffer zone for the Solent SPA. However, a contribution is not required to mitigate any increased recreational pressure resulting from the development because the application is for a replacement dwelling which will not result in any net increase.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

While there is no objection in principle to replacing the present bungalow, that proposed is not considered to pay sufficient attention to the importance of its position within the village or the proximity to the neighbouring listed church and churchyard, or the surrounding conservation area. This is an attractive site with the potential for a well-considered design which makes the most of the site's assets whilst being respectful to the importance of the surrounding context. Unfortunately that proposed is not considered to achieve this and as such is recommended for refusal.