REF. NO. F/16/78913

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Construction of attached three bedroom dwelling. 9 Blossom Close, Botley, Southampton, SO30 2FR

SITE VISIT DATE – 28/07/2016

ARE PLANS ACCURATE? - Yes

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

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed dwelling would be a continuation of the existing terrace with parking to eth front and garden to the rear.
SITE AREA	Approximately 178 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	Approximately 56 dwellings per hectare.
TOPOGRAPHY	There is a slight fall across the site from front down to rear by around half a metre following the natural topography of the area.
TREES	None on or adjacent to the site which would be affected.
BOUNDARY TREATMENT	Open onto Blossom Close at the front with 1.8 – 2.0 metre timber fences to all other boundaries.
SITE CHARACTERISTICS	1970s two storey end of terraced dwelling at the end of a 'T' shaped cul-de-sac. No.9 sits on a wider plot with parking to the front and good size single garage to the side (to be demolished) and reasonable size garden to the rear.
CHARACTER OF LOCALITY	The surrounding area is residential in nature and made up a mixture of detached, semi-detached and terraced dwelling, the majority of which are of a similar age and style to the application dwelling.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
	No record of any previous planning history.	

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Tapley – 12 Blossom Close	Object. Increased traffic and parking issues. Impact upon the character of the close. Devaluation of properties and only intended for the developer to make money.
Neweton – 10 Blossom Close	Object. Concerns with regards to parking and access particularly during construction works. The existing access will need to be altered and a lamppost moved. Disruption and disturbance during the build. Could

REF. NO. F/16/78913

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	add to existing drainage issues in the close.
Spencer – 10 Osterley Close	Object. Impact on outlook, overlooking and overshadowing, as well as devaluation of property.
Simpson – 11 Blossom Close	Object. Would add to existing parking and drainage problems.
Carpenter – 13 Blossom Close	Object. Will add to parking problems in the street.
Hall – 7 Osterley Close	Object. Would be imposing and affect light, as well as cause overlooking. Also concerns with surface drainage and flooding of gardens.
Peet – 8 Osterley Close	Object. Loss of privacy, flooding of garden, impact light and removal of garage will result in an insecure boundary.
Spurrell – 18 Blossom Close	Object. Concerns over parking and whether a suitable access can be provided.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transportation & Engineering	No objection. Parking conforms to the EBC Parking standards, and with the access to the driveway being at the end of a turning head, there should be no loss of street parking as residents should not be parking in the turning head in the present situation. Drop kerbs will however need to be extended to fully gain access. Amended plan shows that access is sufficient to the site but will require street trees to be removed and a lamppost relocated.
Botley Parish Council	Object. Overdevelopment of the site, lack of rear access, insufficient bin and cycle storage, Blossom Close is a narrow and constricted. Restrictions on contractor parking will be required if approved.

POLICY CONTEXT

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

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 & 191.IN

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'

REF. NO. F/16/78913

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

Policies DM1, DM2, DM9, DM23, DM24, DM25, DM29 & DM37

Supplementary Planning Document: Quality Places
Supplementary Planning Document: Character Area Appraisals – Hedge End, west End and Botley (HEWEB 77)
Supplementary Planning Document: Residential Parking Standards
Supplementary Planning Document: Environmentally Sustainable Development
Supplementary Planning Document: Planning Obligations

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 14 of the NPPF sets out the "presumption in favour of sustainable development" in both plan-making and decision-taking.

Paragraph 49 states that, "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

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 that proposed, its layout, design and impact upon the street scene and character of the surrounding area, parking and highway issues, residential amenity, environmental sustainability and nature conservation.

COMMENT ON CONSULTATION RESPONSES

The comments are noted and responded to where appropriate below.

With regards to contractor parking during construction, this will inevitably cause some disruption and inconvenience but this would only be for a temporary period during building works. However, conditions regarding the submission of details setting out how these issues will be dealt with and the amenity of neighbours protected during the course of construction is recommended.

COMMENT ON REPRESENTATIONS RECEIVED

All comments are noted and a response to the planning related issues is given below.

With regards to the concerns over drainage, this would be a matter covered and dealt with via Building Regulations. As to the devaluation of property and the developer only trying to make money, the increase or decrease in land value is not a material planning consideration and cannot be used to approve or refuse an application.

PLANNING OBLIGATION/CONSIDERATIONS

The Government's recent Court of Appeal win has again re-established changes to the National Planning Practice Guidance (NPPG) which increases the threshold for when tariff based planning obligations can be required by new development. This means that developments of ten units or less (and which have a maximum combined floor space of no more than 1000 square metres) will be exempt from the need to provide tariff based planning obligations or affordable housing. The proposed development in this instance falls within this threshold and as such no planning obligations can be requested.

However, a contribution towards the Solent Disturbance Mitigation Project is required and has been secured via an upfront payment.

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 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 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.

Layout, Design, Street Scene & Area Character – No.9 sits at the end of a row of six terraced dwellings and being an end of terrace has a wider plot and reasonable space to the side which currently accommodates a detached garage. The application proposes to construct an attached three bedroom dwelling to the flank wall of the current dwelling and divide the plot lengthwise. Two parking spaces for each dwelling will be provided to the front and a private garden to the rear. While the available space to the side is just sufficient to accommodate a dwelling, it is tight, meaning that parking to the frontage is quite constricted and neither property would have an external rear access.

In terms of its appearance, the new dwelling would follow the style and materials of the existing terrace row and a condition to ensure this is recommended. The depth of the proposed dwelling is approximately two metres deeper to the rear than the existing dwelling but this raises no issues in terms of design.

Overall therefore, while the space available is tight, the minimum requirements in terms of parking and garden area would be met and would not be dissimilar to other neighbouring dwellings within the close. It could not therefore be argued that the proposal would result in an overdevelopment of the site. As for the street scene, it would effectively be seen as a continuation of the current terrace row so will have no detrimental or unacceptable impact, which is also considered to be the case in terms of the general character of the surrounding area. That being the case, it is considered that the

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

proposal accords with the minimum requirements of saved Policy 59.BE of the current adopted Local Plan, Policy DM1 of the Submitted Local Plan and the Council's 'Quality Places' and 'Character Area Appraisals' SPDs.

Parking & Highway Issues – The potential impact of the proposed new dwelling on existing parking issues within the close has been raised as one of the main reasons for objection. While these comments are noted, the proposal can provide the minimum requirement of two off-road spaces for each dwelling – existing and proposed – as set out in the Council's 'Residential Parking Standards' SPD and no objection has been raised by the Head of Transportation and Engineering on the grounds of parking or highway safety. It was also noted that the majority of properties within the close already have their own off-road parking or have the ability to provide it, as well as there being a dedicated set of on-street spaces provided in a layby. That being the case, it would be very difficult to justify a refusal of the application on the grounds of parking or highway impact. As such the application is considered to comply with this element of saved Policy 59.BE and Policy 104.T of the current Local Plan and Policies DM23 and DM24 of the Submitted Local Plan, as well as the Council's 'Quality Places' and 'Residential Parking Standards' SPDs.

Residential Amenity – With regards to residential amenity there are two main areas to consider, the impact of that proposed upon existing neighbours and that of future occupiers of the proposed development.

In terms of future occupiers, while the total floor area is modest it would not be cramped and the garden area more than exceeds to the 60% of floor area minimum set out in the Council's 'Quality Places' SPD. While the depth of the garden is a little under the twelve metres set out for a north facing garden, this is exactly the same as all the other properties within the terrace and is actually slightly larger. There would be no unacceptable overlooking from any existing dwelling and sufficient light would be available for all main habitable rooms. All of the necessary amenity requirements for future occupiers are therefore met.

With regards to existing neighbours, objections have been raised principally from those in the neighbouring Osterley Close who back onto the western boundary of the site on the grounds of loss of privacy, light and outlook. While it is acknowledged that the construction of a new dwelling will result in a two storey flank wall much closer to their rear boundary than at present, at a distance of fifteen metres at the closest point between the flank wall of that proposed and the rear elevations of Osterley Close properties, this would not result in any adverse or unacceptable loss of outlook in planning terms where a distance of around twelve metres is usually considered acceptable.

On the issue of loss of light, again the distance, orientation and relationship of that proposed to neighbouring properties would not result in any significant or unacceptable loss of light. The property most likely to be impacted by this would be No.9 itself, where the two storey projection of the proposed dwelling to the rear would result in loss of light to the nearest ground window. However, this is one of two windows which serve the affected room meaning that this could not be used as a reason to refuse the application or insist upon amendments.

With regards to loss of privacy, it is noted that the proposal does include a ground and first floor window to its flank elevation. The ground floor window is a secondary window to the main living accommodation where suitable privacy could be maintained via the boundary fence, and the first floor window would serve a bathroom, meaning that a condition can be imposed to ensure that this window is obscure glazed with a top opening light only. This would ensure that privacy to properties in Osterley Close is maintained.

While the concerns of those objecting are noted and understood, the proposed development would not result in any adverse or unacceptable impact to the amenity of existing or future residents of Blossom Close or neighbouring properties. As such the application is considered to comply with the amenity requirements of saved Policy 59.BE of the current Local Plan, Policy DM1 of the Submitted

REF. NO. F/16/78913

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Local Plan and the Council's 'Quality Places' SPD.

Environmental Sustainability – The Council's 'Environmentally Sustainable Development' SPD requires all new dwellings to meet a minimum of code level 4 of the Code for Sustainable Homes together with a number of other mandatory requirements on water and energy conservation. However, the code has now been revoked with the intension that these requirements will be assessed by Building Regulations. Notwithstanding this, it is Council policy that any new dwellings must meet the equivalent of Code Level 4 with regards to water and energy conservation. This would be secured via a planning condition.

Nature Conservation – 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 the designated zone of impact.

The site falls inside the 5.6km buffer zone for the Solent SPA. A contribution is therefore required to mitigate the increased recreational pressure resulting from the development.

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

For the reasons given above, the application is recommended for approval subject to conditions.