REF. NO. F/15/76967

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Construction of 3no. four bedroom terrace dwellings, detached garage block with ancillary parking & amenity space following demolition of existing public house. Foresters Arms, 1 Stoke Common Road, Bishopstoke, Eastleigh, SO50 6DW

SITE VISIT DATE – 01/09/2016

ARE PLANS ACCURATE? - Yes

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

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The three dwellings would front onto Stoke Common Road with gardens to the front and rear. At the very rear of the site would be a block of three garages with driveways to the front for each of the proposed dwellings and all accessed via Church Road. These would be at a lower level due to the topography of the site with shared stepped access to the rear gardens.
SITE AREA	0.075 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	40 dwellings per hectare
TOPOGRAPHY	The site slopes down in a northerly direction along Church Road and consists of three levels: the main building; a former terrace area behind; and a lower level beer garden which will be where the proposed detached garage is to be constructed.
TREES	There are a number of trees along the eastern boundary with the neighbouring Stoke Common Road properties and some smaller trees as part of the rear northern boundary with the adjacent public footpath.
BOUNDARY TREATMENT	Open directly onto the Stoke Common Road frontage, with the flank wall forming the boundary with Church Lane to the west. The rear and eastern boundaries are marked by a brick wall, fencing and hedging.
SITE CHARACTERISTICS	The former public house probably dates from around 1900 and sits on a prominent corner plot at the junction of Church Road and Stoke Common Road. The building has been extended to the side and rear at ground floor level, the newest of which probably in the 1960s. To the side is a parking area accessed from Stoke Common Road and to the rear is what was the beer garden.
CHARACTER OF LOCALITY	The surrounding area is predominantly residential in nature and made up of a mixture of two storey terraced cottages of a similar age to the former pub, later 1920s/30s semi-

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THE SITE AND ITS SURROUNDINGS

detached dwellings and sizable detached dwellings dating from the 1970s and 80s. Being on the northern edge of Bishopstoke the area has a semi-rural feel.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/16/79008	Change of use from public house (A4) to residential dwelling (C3), demolition of existing side & rear additions & front porch & construction of detached triple garage with roof accommodation to rear.	Approved Oct 2016
F/07/61476	Retrospective erection of single storey smoking shelter.	Approved Dec 2007
Z/05291/002/00	Alterations and extension to public bar.	Approved Apr 1980
Z/05291/001/00	Change of use from garden to car park.	Approved Oct 1976
Z/12357/001/00	Use of land for car parking for 5 vehicles adjoining.	Refused Jan 1976
EAB0747900000	Alterations to existing toilet block.	Approved May 1972
Z/05291/000/00	The addition of a porch.	Approved Nov 1957
EAB0008100000	Alterations.	Approved Feb 1949

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Sayers – 109	Object. There are enough new houses being built in the village. Would amount to an overdevelopment of the site, highway safety concerns and loss of a locally historic building.
Ogilvy – 2 Stoke Common Road	"I think what is planned is OK with me. Would be nice when I draw my curtains to look on houses rather than a sad looking public house. I would stress as I have done with Chase Bishopstoke. There is going to be a lot of large vehicle movement and like the Anchor Village who have respected the locals living around the mess that they did not use Bishopstoke lane And the lorries wheels where hosed down every time they left the site. Builders must respect those that are living around the changes."
Valentine – 2a Stoke Common Road	Object. Out of character with the street, would be an overdevelopment of the site and would block view of countryside beyond.
Walters – 66 Stoke Common Road	Object. Too many houses being built already. Concerns over parking and the junction with Church Road. Disruption during construction. No community provision being made in the village.
Shambrook – 180 Church Road	Object. Overdevelopment of the plot and out of keeping with the area. Lack of parking and highway safety. Poor generic design proposed.

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transportation & Engineering	Objection - lack of on-site vehicle parking. In line with the EBC Parking standards, a minimum of 3 vehicle parking spaces are required for a 4-bed house, and only 2 are proposed (1 x driveway and 1 x garage that must be a minimum 3.0 x 6.0m) for each dwelling on plans. The aim of this requirement is to reduce the potential for obstructive (visiual and flow) parking on the highway, which at this site is all the more important due to its proximity to a junction and the reports of obstructive parking already being received. Additionally, due to the lack of safe off-site parking options for visitors, it would be requested that a minimum of 2 additional parking bays are provided to allow for visitor parking accordingly. If minded to approve it is requested that a strip of land along the edge of Church Road be dedicated to widen the footway and improve sightlines at the junction with Stoke Common Road.
Biodiversity Officer	Object. Insufficient information has been provided to demonstrate that the proposals will not result in harm to nearby sites of importance, particularly regarding protected species and drainage.
Bishopstoke Parish Council	Object. Insufficient parking and visibility concerns.

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 & 185.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' Policies DM1, DM2, DM9, DM24, DM25, DM29 & DM35

Supplementary Planning Document: Quality Places
Supplementary Planning Document: Character Area Appraisals – Bishopstoke, Fair Oak and Horton Heath (BIFOHH 2)
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."

The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be "out-of-date". The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

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

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 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."

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 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."

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 including the loss of a community facility, its resulting layout, design and impact upon the street scene and character of the surrounding area, parking and highway matters, residential amenity, environmental sustainability, and nature conservation.

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COMMENT ON CONSULTATION RESPONSES

All comments are noted and responded to where appropriate below.

COMMENT ON REPRESENTATIONS RECEIVED

All comments are noted and responded to where appropriate below.

With regards to the concerns of loss of views of the countryside beyond, while understandable for this resident, the loss of a private view is not a material planning consideration and cannot be taken into account when determining a planning application.

PLANNING OBLIGATION/CONSIDERATIONS

The changes to the National Planning Practice Guidance (NPPG) which increases the threshold for when tariff based planning obligations can be required by new development have been re-established. 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.

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.

The site also lies within an established residential area where further residential development would be considered acceptable. Therefore in principle that proposed is considered to be acceptable. However, it will need to be demonstrated that the public house is no longer required by the local community.

Loss of Community Facility – Saved Policy 185.IN relates to the protection of community facilities, of which public houses are included. This policy states that a community facility can only be lost if it can be demonstrated that: suitable provision can be provided elsewhere; there is already alternative provision in the area which would serve the community's needs; or that the facility is now surplus to requirements.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

The Foresters Arms has been shut and for sale for over 18 months with little interest shown by prospective purchasers and none shown to take it on as a going concern or for alternative community uses. It is therefore reasonable to assume that it is surplus to local requirements and is one of a number of public houses which have closed down in Bishopstoke over the past few years. However, the village does retain at least three other pubs nearer to the village centre which are much easier to access and serve a larger local catchment. As such it is considered that its loss and use of the site for an alternative purpose is acceptable provided that use is appropriate for the nature of the surrounding residential area. Given that the proposal is to construct three dwellings, this raises no concerns in principle.

Layout, Design, Street Scene & Area Character – While redevelopment of the site for residential purposes is considered to be acceptable, the proposed loss of the original Foresters Arms building is disappointing. While not listed or protected in any way it is an important piece of local history. However, without any form of protection it would be difficult to refuse the application on the grounds of its loss.

Looking at the development put forward, it is considered that that the whole scheme is rather too urban in its character with high boundary walls and a squeezed in terrace of houses. While it is acknowledged that there are a number of terrace properties on the opposite side of Church Road, these are much more rural in character and have the benefit of more spacing around them. The introduction of a run of terraced dwellings at the end of Stoke Common Road would also go against the prevailing pattern of good size detached properties on good size plots, which is the main characteristic of the street.

The introduction of such a wide dropped kerb and parking area onto Church Road would also be rather out of keeping with the suburban/semi-rural character of the immediate area, although it is noted that it would not be the only such area of hardstanding along the street.

Overall that proposed is not considered to be a development which would in any way enhance or improve the appearance and character of the area. While it could be argued that the former pub is now rather shabby, it would not take a significant amount of work to greatly improve its appearance. As such that proposed is not considered to be acceptable as it would have a harmful impact upon the prevailing semi-rural character of the surrounding area, and is contrary to saved Policy 59.BE of the adopted Local Plan, Policy DM1 of the Submitted Local Plan, and the Council's 'Quality Places' SPD.

Parking & Highway Matters – The Council's 'Residential Parking Standards' SPD requires a minimum of three off-road parking spaces for a four bedroom dwelling. The proposal only provides a total of two spaces per dwelling, one of which within a garage which in reality very rarely get used for parking a car in. As such an objection has been raised by the Head of Transportation and Engineering on the grounds of insufficient parking and the resulting impact of this upon highway safety. Getting out of the junction from Stoke Common Road into Church Road has always been difficult, so the inclusion of more parked cars on the street would not help the situation. These concerns have also been expressed by those who have commented upon the application.

This lack of sufficient on-site parking and the likely resulting impact upon the existing parking problems along Church Road is considered to be contrary to saved Policy 59.BE of the current Local Plan, Policy DM24 of the Submitted Local Plan and the Council's 'Residential Parking Standards' SPD. As such this will for a reason for refusal.

Residential Amenity – Due to the orientation, proximity and relationship of the proposed dwellings to existing neighbouring properties, it is not considered that there would be any adverse or unacceptable impact upon the residential amenity of those properties in terms of loss of privacy, light or outlook.

As for the amenity of future occupiers of the development, while the size of the proposed dwellings and their gardens do meet the Council's minimum standards, they are somewhat smaller than those

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

of surrounding properties. As such the application is considered to accord with the amenity requirements of saved Policy 59.BE of the current Local Plan, Policy DM1 of the Submitted Local Plan and the Council's 'Quality Places' SPD.

Nature Conservation – As has been highlighted in the Council's Biodiversity Officer's response, there is a lack of any information relating to appropriate biodiversity surveys, particularly with regards to protected species such as bats. Given the age and form of the building, there is the potential for bat roosts to be present but without an appropriate survey being undertaken to establish if this is the case. Given that bats are a protected species the LPA cannot recommend an application for approval without such evidence. As such this lack of information will form a reason for refusal.

As for potential impact of drainage from the site upon the nearby woodland, which is of a sensitive ecological nature, while no information has been submitted it is considered that this could be secured via a suitable condition/s were the application to be approved.

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 outside the 5.6km buffer zone for the Solent SPA, meaning that a contribution is not required to mitigate any 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 refusal.