MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/15/77712

DESCRIPTION	Construction of 1no. 3 bedroom single storey detached dwelling with associated parking, landscaping & detached single garage, with altered access from Telegraph Road. Erection of detached single garage & provision of new access from High Street to serve existing dwelling (re-submission)
ADDRESS	84 High Street West End Southampton SO30 3DU

SITE VISIT DATE	30 December 2015
ARE PLANS ACCURATE?	It is considered that sufficient information has been provided to allow for a full and proper assessment of the development proposed.
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application seeks approval for the construction of a detached, single-storey three-bedroom dwelling to the rear of No. 84 High Street. The application is a resubmission of approval reference F/14/75345 with consent now being sought for a property of a revised design. Whilst the dwelling remains single storey in nature, its depth has been increased relative to the previous submission with two front gables also having been introduced. These changes serve to collectively bring the property closer to the boundary of the site with Telegraph Road. The bungalow is to be accessed from Telegraph Road with parking being provided by a hardstanding and detached single garage to its northern side. As with the previous submission, the application also includes the provision of a new vehicular access and turning space, as well as a detached single garage to serve the existing dwelling on the site (No. 84 High Street).
SITE AREA	0.11ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	18.2 dwellings per hectare.
TOPOGRAPHY	There are a number of level changes across the application site. Notably these include a marked slope down to the north in line with the general gradient of this section of Telegraph Road as well as across the site from east to west. The effect of these level changes is that the proposed dwelling will be set on an elevated ground level relative to No. 84 High Street to the north as well as No. 82 High Street and the development within Crabwood Drive to the west.
TREES	There is a Cherry Tree and Sweet Chestnut Tree within the garden of No. 84, the latter of which is subject to a Tree Preservation Order. Both of these trees are within close proximity to the proposed parking and turning areas to serve the new dwelling. There is also a Birch Tree within the plot of No. 2 Telegraph Road to the south of the site which is subject to a Tree Preservation Order. The application is accompanied by an Arboricultural Report.

THE SITE AND ITS SURROUNDINGS

BOUNDARY TREATMENT	The eastern extent of the plot is marked by a close-boarded timber fence which extends virtually the entire length of the site boundary with Telegraph Road. The northern boundary of No. 84 consists of a low-level brick wall with uniformly spaced piers, interspersed between which are black metal railings. There is planting and hedging to the western boundary of the site with fencing to the southern boundary with No. 2 Telegraph Road.
SITE CHARACTERISTICS	No. 84 Telegraph Road is an attractive detached character property set on a prominent corner plot at the junction of Telegraph Road and High Street. The dwelling, which is of a two-storey height and constructed predominantly of red-brick, is considered to make a notably positive contribution to the character of this part of West End. The property has a sizeable rear garden area to its southern side which is predominantly laid to lawn. The southern section of this garden contains a somewhat run-down outbuilding and garage and provides for off-road parking to serve the property, with gated access from Telegraph Road.
CHARACTER OF LOCALITY	The site falls within an established residential area which is in general terms formed of a mixture of dwelling types of varying periods, scales and designs. As noted above, the existing property on the site is a two-storey detached dwelling set on a sizeable plot. There are single storey bungalows to the west of the site along High Street as well as within the cul-de-sac Crabwood Drive. The dwellings within Telegraph Road to the immediate south of the site are pitched-roof, single-storey bungalows of a rectangular footprint. Owing to the sloping grounds levels from east to west, these properties are set in a sunken position relative to the road.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
WIR21146	Erection of pair of semi-detached bungalows	GRANT OUTLINE PERMISSION – 15 September 1971
T/32518/000	Lopping/felling of Sweet Chestnut	PART CONSENT / PART REFUSE – 15 April 1992
F/14/75345	Construction of 1no. 3 bedroom single storey detached dwelling, with associated parking, landscaping & detached single garage, with altered access from Telegraph Road. Erection of detached single garage & provision of new access from High Street to serve existing dwelling.	PERMIT – 23/01/2015

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
West End Parish Council	No objection.
Head of Transportation and Engineering	No objection. The proposed site layout and parking quantum for the existing dwelling is accepted and the layout allows for on-site turning to assist access / egress. The requirement for planning obligations towards sustainable transport was also set out.
Head of Countryside and Trees	No objection subject to the imposition of conditions requiring adherence to the submitted Arboricultural Implications Assessment and Method Statement, as well as in respect of Tree Protection measures.
Head of Planning Policy and Design (Sustainability Officer)	No objection.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area The Site is Subject to a Tree Preservation Order (TPO 60) Partially Within HRA Screening Area – 25m River Buffer (Covers a Proportion of the New Garage for the Existing Dwelling but Not the site of the New Dwelling)

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, 100.T, 101.T, 104.T, 147.OS, 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, Policies DM1, DM2, DM9, DM23, DM24, DM25, DM29, DM32, DM37.
Supplementary Planning Document: Quality Places
Supplementary Planning Document: Planning Obligations
Supplementary Planning Document: Environmentally Sustainable Development
Supplementary Planning Document: Residential Parking Standards

CHARACTER APPRAISAL AREA

The site itself falls within the area *HEWEB 10.* The Council's adopted character appraisal document sets out the following guidance principles for new development in this area:

- Maintain the predominant orientation of ridgelines in existing development relative to the slope on Ingersley Rise.
- Retain the grass verges and associated semi-mature broadleaved tree planting along Kenilworth Gardens.
- Maintain the importance of the views west from Ingersley Rise.

Also of relevance are the guidance principles for the area *HEWEB 15* which covers the properties within Telegraph Road to the immediate southern side of the site. The principles are that development should:

- Maintain the predominant orientation of ridgelines in existing development relative to the slope on Telegraph Road.
- Retain the soft verge edges to the east of Telegraph Road and supplement with additional planting where appropriate in order to maintain the 'lane' quality.
- Retain and extend the continuity in building line.

SPECIAL POLICY AREA

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

NATIONAL PLANNING POLICY GUIDANCE

In respect of this application, the following sections or paragraphs of the NPPF are considered to be of particular relevance:

- Paragraph 6 states that "the purpose of the planning system is to contribute to the achievement of sustainable development".
- Paragraph 14 sets out that "at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking". The Framework sets out 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 this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted."
- Paragraph 17 details the 12 core planning principles that should underpin decision-taking, these include 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".
- Paragraph 32 states that decisions should take account of whether "safe and suitable access to the site can be achieved for all people" and Paragraph 35 states that developments should be located and designed where practical to "give priority to pedestrian and cycle movements, and have access to high quality public transport facilities."
- 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".
- Paragraph 53 states that "local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area."
- Paragraph 56 states 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".
- Paragraphs 95 and 98 respectively require that local planning authorities "plan for new development in locations and ways which reduce greenhouse and gas emissions" and that they should, when determining planning applications, "recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions".
- Paragraph 215 sets out that, following the expiry of the 12-month transitional period (March 2013) from the date of the publication of the NPPF "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework".

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, its layout and design, residential amenity, highway matters, trees, biodiversity, street scene and character of the area, environmental sustainability, and planning obligations.

COMMENT ON CONSULTATION RESPONSES

The comments received are noted with the matters raised being responded to where appropriate in the below assessment of the proposal.

COMMENT ON REPRESENTATIONS RECEIVED

Np third party representations have been received in relation to this planning applicacation.

PLANNING OBLIGATION/CONSIDERATIONS

In accordance with the provisions of the following:

- National Planning Policy Guidance
- Community Infrastructure Levy Regulations 2010 (SI 2010/948) as amended by the Community Infrastructure Levy (Amendment) Regulations 2011 (2011/987)
- Saved policies 25.NC, 147.OS, 101.T and 191.IN of the Eastleigh Borough Local Plan Review 2001-2011.
- Emerging policies DM9, DM23, DM32, DM35 and DM37 of the Submitted Eastleigh Borough Local Plan Review 2011-2029.
- The Council's adopted Supplementary Planning Document – Planning Obligations

Planning obligations are sought to offset the impact of the development on local infrastructure. For this development obligations in the form of financial contributions are sought towards Community Infrastructure, Public Open Space and Play Provision, Public Open Space – Local Green Space, Sustainable Transport and the Solent Recreation Mitigation Partnership. The applicant has secured these contributions through an appropriate up-front payment and as such the application is deemed to accord with the aforementioned national and local planning policy requirements, as well as those of the relevant associated supplementary planning guidance.

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 site is located within the urban edge and is bound by residential properties. It is located within an accessible and sustainable location with relatively good pedestrian and cycle links to nearby facilities. Subject to the consideration of the detailed matters in accordance with the relevant Local Plan policies and associated supplementary planning documents and guidance, the principle of residential development on the site is considered to be acceptable.

Also of relevance is the existing extant planning approval for the site (F/14/75345) which relates to the construction of a detached, single-storey three bedroom bungalow in the same position as that proposed, albeit with this being of a varied form, design, and overall size and scale.

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

The proposed bungalow is considered to be of an acceptable layout and design and takes appropriate account of the context and constraints of the site as well as the character of the

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

surrounding area. Whilst, relative to the previously approved scheme, it is sited in closer proximity to the boundary of the site with Telegraph Road and the proposals serve to introduce front gable projections which further accentuate this additional visual impact, it is not deemed that this is to an unacceptable degree. The building will remain single storey in height and is not excessive in respect of either its footprint or overall scale and size. In this regard, as well as in terms of its design, the dwelling is considered to be both appropriate for its plot size and will be complementary to the neighbouring development to its southern side and within this section of the Telegraph Road street scene. The proposed planting along the front boundary of the plot will also further assist in softening its visual impact.

The detached garage is also appropriately sited such that it is set back from the front elevation of the dwelling and its limited width and hipped roof nature tie it in neatly with the proposed bungalow; with these factors combining to ensure that it appears as a suitably ancillary and subservient structure. A condition will be imposed upon the planning consent to require the submission of samples and details of external materials to be used in the construction of the dwelling for approval by the Local Planning Authority prior to the commencement of development in order to ensure that these are appropriate in type, colour, texture and appearance. Further conditions will be imposed in the interests of amenity to require full details of boundary treatments as well as the submission of a landscaping scheme for the site.

With regards to the works associated with the existing dwelling, which consist of the provision of a new access, driveway and detached single garage, again these are considered to be acceptable in design, siting and layout with the garage being of an appropriate and proportionate scale both for its intended purpose as well as relative to the property that it will serve.

For the reasons given, the proposals are considered to comply with the provisions of Saved Policy 59.BE of the adopted Local Plan in respect of their layout, design and impact upon the street scene and area character.

Residential amenity:

Saved Policy 59.BE (vii.) requires that development avoids unduly interfering, disturbing or conflicting with adjoining or nearby uses. It also requires the provision of an acceptable layout in this regard, with Paragraph 17 of the NPPF stipulating 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”. The Council has produced a Supplementary Planning Document, ‘Quality Places’, which provides detailed guidance on the matter of residential amenity to supplement Saved Policy 59.BE.

In respect of the amenity for the occupiers of the proposed dwelling, the development is considered to be acceptable. The property is of an appropriate internal floor area and orientation such as to allow for adequate light to penetrate into primary rooms. The dwelling will also not be unduly overlooked by neighbouring buildings or uses. In addition, provision is made for adequate private external amenity space with the development complying with the requirements of the Council’s Quality Places SPD in this regard. Whilst this amenity area does slope down to the rear to a degree, it is considered that it will still be adequately useable.

In respect of the impact of the proposals upon neighbouring amenity, owing to the single storey nature of the bungalow, its degree of set in from the shared boundaries with Nos. 84 and 82 High Street, as well as its lower ground level relative to that of No. 2 Telegraph Road, it is not considered that the development will be unduly overbearing nor will it adversely affect the levels of light received to or outlook from neighbouring dwellings or their rear gardens. Whilst the amenity area of No. 84 High Street will be markedly diminished as a result of the segregation of the plot for the purposes of additional residential development, it is considered that it will remain of an

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

adequate size to serve the property with this again complying with the Council's adopted standards as referred to above.

It is acknowledged that the garage structures both for the existing and proposed dwellings will be situated in close proximity to the shared boundary with No. 82 High Street. The garage for No. 84 will, however, be set alongside that of No. 82 such that it will not have a notable impact upon the amenity of its occupiers. The garage structure to serve the new bungalow is orientated such that its narrower end elevation runs parallel to the boundary. It is also set in by between 1.5 and 2m with its roof being hipped away from the boundary. Taking account of each of these factors it is not considered that any resulting impact upon the amenity of the occupiers of No. 82 would be such as to make the development unacceptable in planning terms.

Finally, with regards to the matter of the potential for overlooking. There are no side facing windows within the southern elevation of the building, and only two narrow windows to the north with these being well screened by the proposed boundary fencing. As such, it is not considered that any undue loss of privacy will occur for the occupiers of No. 2 Telegraph Road or No. 84 High Street.

Owing to the notable changes in ground levels and the number of habitable windows proposed in the bungalow's rear elevation, however, particular consideration has been given to the potential for overlooking towards the properties to the west of the site and most notably No. 82 High Street. Having assessed the submitted levels and section drawings provided and fully appraised the matter on site including taking account of the nature of the existing rear boundary treatment (hedging), it is considered that providing this is reinforced and thereafter maintained at a minimum height of 1.8m or alternatively is replaced with an appropriate boundary treatment (i.e. a fence) to the same minimum height, any views from the rear windows of the proposed dwelling will be up and over the neighbouring garden and property rather than down into it. As such and with the imposition of a condition with the aforementioned stipulations, it is considered that no undue loss of privacy will occur.

It is, however, deemed necessary in the interests of protecting neighbouring amenity and ensuring that an appropriate area of private amenity space is maintained to serve the new dwelling, to remove permitted development rights from the new bungalow. Any extensions to the rear of the property have the potential in particular to unduly diminish the available garden area for it below an acceptable standard and to adversely affect the amenity of the occupiers of No. 82 High Street and No. 1 Crabwood Drive.

<u>Highway matters:</u>

The main highway issues for consideration concern whether a satisfactory means of access and layout for vehicles can be achieved for both the proposed and the existing development and a sufficient level of on-site vehicular parking be provided in accordance with the requirements of Saved Policy 59.BE (v.) and the Council's adopted Residential Parking Standards SPD. The Council's Head of Transportation and Engineering was consulted as part of the application.

The existing and proposed properties both have three-bedrooms. The Council's adopted parking standards require that for a three bedroom dwelling, two on-site car parking spaces be provided. The existing parking that serves No. 84 to the rear of the plot will be lost as part of its redevelopment. Ample replacement provision is, however, made for this dwelling by way of a detached single garage as well as a driveway accessed from High Street. A detached single garage is also proposed to serve the new dwelling with a further two spaces being provided immediately in front of this. A condition will be imposed to require that this parking be provided prior to the occupation of the new dwelling and thereafter retained for this purpose at all times.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

In respect of the matter of the access to the new and existing dwellings, this is considered to be satisfactory. Whilst it is noted that the new access to serve No. 84 High Street will be in relatively close proximity to the junction with Telegraph Road, this will not result in a detrimental impact upon highway safety and the Council's Head of Transportation and Engineering has raised no objection to the proposals in this regard. In both cases, a turning head is proposed to allow for vehicles to be able to enter as well as to leave the site in a forward gear. Conditions will be imposed upon the planning consent to require the provision of the turning space as shown on the submitted drawings, as well as the existing access to the rear of the site to be stopped up and abandoned.

Finally, a further condition will be imposed to require the submission of details of foul and surface water drainage to serve the new dwelling for approval by the Local Planning Authority prior to the commencement of development.

Bin and cycle storage:

Saved Policy 28.ES of the adopted Local Plan requires that provision should be made in the design and layout of housing developments for the storage and collection of domestic waste and recyclable materials and that these facilities should be sited in locations that would not give rise to disturbance to the occupiers of residential properties.

It is considered that the application accords with these requirements and provides for appropriate facilities to serve the proposed dwelling. The Council's adopted Residential Parking Standards SPD requires that, for a three bedroom dwelling, secure storage is provided for two cycles. This is proposed to be provided within the detached single garage to the dwelling's northern side. A suitable area for the storage of waste and recycling bins for the property is also detailed on the submitted proposed layout drawing alongside the aforementioned garage structure.

Trees:

As set out at the outset of this report, there are trees within and adjacent to the site that are subject to Tree Preservation Orders, namely a Sweet Chestnut Tree positioned in the proximity of the turning head to serve the new dwelling, as well as a Birch Tree within the neighbouring plot, No. 2 Telegraph Road to the southern side of the site. In addition, there is an unprotected Cherry Tree in the centre of the site which is proposed to be removed as part of the development.

The application is accompanied by an Arboricultural Survey which includes an impact assessment as well as an arboricultural method statement for the proposed development. The Council's Tree Officer has been consulted as part of the application and has raised no objection to the proposals subject to the imposition of appropriate conditions concerned with the protection of the trees on and adjacent to the site during the development works. With the imposition of these conditions, it is considered that the proposals comply with the requirement of Saved Policy 59.BE (i) that development is appropriate both in itself as well as in relation to natural features and trees worthy of retention.

Biodiversity and nature conservation:

The proposals are not considered to result in a likely significant impact on a European Protected site (SPA, SAC or Ramsar) and the proposals therefore comply with the requirements of Saved Policy 25.NC of the adopted Local Plan in this regard.

The plot for the new dwelling falls outside of the HRA (Habitat Regulations Assessment) screening zone and whilst the proposed garage to serve No. 84 does fall partially within this, owing to the small scale nature of this aspect of the development, it is not considered that its impact in this regard would be significant or unacceptable. As such, HRA screening was not required for this

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

development.

The site does, however, fall within the 5.6km buffer zone for the Solent Special Protection Area. A contribution is therefore required to mitigate the increased recreational pressure resulting from the development. As set out above, this contribution has been secured by way of an upfront payment. There are no other nature conservation issues associated with the development.

Environmentally sustainable development:

The Local Planning Authority's Environmentally Sustainable Development (ESD) Supplementary Planning Document (SPD) sets out requirements, in support of Saved Policy 34.ES of the adopted Local Plan, that all new residential development must meet. The application is supported by a Code for Sustainable Homes Pre-Assessment Report which sets out that the development is predicted to achieve the required standards in respect of water and energy, as well as the other essential requirements of the Council's ESD SPD. The Council's Sustainability Officer has been consulted on this information and has raised no objection subject to conditions.

Conclusion:

Overall for the reasons as set out above, the development is considered to comply with the relevant development plan policies, associated supplementary planning documents, and national planning policy.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made 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 withdrawn the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. 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 granted.