MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/16/79715

DESCRIPTION/ ADDRESS	Construction of 1no. 2 bed bungalow, following demolition of existing outbuilding (amendment to F/16/78330) Quob Cottage Quob Lane West End Southampton SO30 3HN

ARE PLANS ACCURATE?	It is considered that sufficient information has been provided to allow for the assessment of the development proposed.
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The proposal is a resubmission of a previously approved scheme for the erection of a detached dwelling with associated parking. The dwelling would be single storey with a hipped roof and the scheme involves the removal of the existing outbuilding/ stables. The only difference between the two schemes is that the proposed dwelling has now been moved an extra 2m back from the road so that it lines up with the rear of the existing outbuilding.
TOPOGRAPHY	The site is relatively flat
TREES	There is a line of trees situated along the north-western boundary of the site with Allington Lane. These trees are subject to a Tree Preservation Order (TPO 92).
BOUNDARY TREATMENT	The north-western boundary of the site adjacent to Allington Lane is marked by a combination of the above mentioned tree line as well as close-boarded timber fencing which together provide for a good degree of screening for the site from the highway. There are timber gates marking the vehicular access to the site from Allington Lane with further fencing segregating the site from Quob Cottage. There is planting to the rear and south-western side of the building.
SITE CHARACTERISTICS	The building the subject of the application is a single-storey structure set to the south-eastern side of Allington Lane which was originally constructed in the mid-1980s for use as a cattery. The building has an H-shaped footprint with access to the site being from Allington Lane to its immediate north eastern side.
CHARACTER OF LOCALITY	The site falls within countryside as designated within the Council's adopted Local Plan. The application site is situated close to the junction of Allington Lane and Quob Lane to the south-western side of Quob Cottage whose curtilage it had previously formed part of. The surrounding area is a mix of sporadic residential and agricultural related development.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
J/15/77084	Prior Notification: Change of use from B8 (storage & distribution) to C3 residential dwelling	Prior approval granted 06/11/15

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/16/78330	Construction of two bedroom bungalow, following demolition of existing outbuilding	PERMIT – 31/05/2016
O/12/71357	Outline: Erection of office with associated car parking, following demolition of existing buildings (access, scale & layout only)	REFUSED – 30/11/2012 (APPEAL DISMISSED – 27/09/2013)
Z/27955/012	Change of use from flower shop to storage and distribution of pet foods	PERMIT – 10/09/1998
Z/27955/009/00	Construction of stable block to include two stalls and dry food store and new vehicular access	PERMIT - 15/01/1993
Z/27955/010	Construction of two storey rear extension to dwelling and conversion/extension of existing outbuilding (cattery) to provide double garage, stables and store.	PERMIT – 03/12/1993
Z/27955/007	Use of workshop as a shop selling flowers and shrubs	PERMIT – 10/01/1991
Z/27955/006	(Outline) Erection of dwelling	REFUSED – 15/05/1990
Z/27955/005	Erection of detached house, garage and store	REFUSED – 05/02/1990
Z/27955/004	Use of workroom as a shop for the sale of flowers and shrubs and construction of car park	PERMIT – 13/02/1989
Z/27955/001	Erection of cattery, stable and garages	PERMIT – 25/04/1985

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
West End Parish Council	No objection
Tree Officer	Although the Arboricultural Impact and Method Statement is for a previous scheme it is acceptable and I do not require a revised report. Please condition the following: 1. The development must accord with the Arboricultural Implications Assessment and Method Statement (ref. 13037 -AIA-DC) produced by Barrell Tree Consultancy dated 24th January 2013. Tree Protection must be addressed as per the Tree Protection Plan (ref. 13037-BT1) enclosed within the report.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	Reason - To retain and protect the existing trees which form an important part of the amenity of the locality. 2. No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the Tree Services Manager from the Local Planning Authority. Work cannot commence until the Tree Services Manager has inspected and approved the tree protection, ensuring it conforms to the Tree Protection Plan and the Method Statement. Once approved no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the fenced area. The fencing shall be retained in its approved form for the duration of the work. All other aspects of the Arboricultural Impact Assessment and Method Statement will be addressed at this meeting including any required changes with final layout of the scheme and the installation of services that may have an impact on trees. This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of compliance monitoring by the pre-appointed consulting arboriculturalist. Reason - To retain and protect the existing trees which form an important part of the amenity of the locality.
Transport & Engineering *(previous consultation response)*	<u>No objection</u> The development proposal utilises an existing access that has good levels of visibility, and on-site parking is provided in excess of the minimum standards which is welcomed as it will onwards provide parking for visitors. Eric is unavailable to comment, however I suspect he would request details of the existing foul and surface water drainage system, and how the proposed dwelling will link into these.
Environmental Health	• This amended application has kept the building orientation proposed in the original application, F/16/78330, but increased the distance between it and Allington Lane. • The Environmental Noise Impact Assessment (SA-4274, Feb 2016, Sound Advice) and Phase 1 Desk Study (15435/DS, Feb 2016, Soils Ltd) reports have been resubmitted with the application. Considering the above I wish to make the following comments: The noise report was submitted and considered with the original application (F/16/78330) and as the only relevant change between the two applications is the relocation of the proposed building, increasing the distance from Allington Lane, the comments and recommendations made on that application are still applicable. Likewise the land contamination report was submitted and considered with the original application (F/16/78330) and again the comments and recommendations made on that application are still applicable. Therefore, I repeat the comments and conditions made by Fiona Goode on the original application (F/16/78330)regarding contaminated land,

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	noise, hours of work and no burning.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary - Countryside Blanket TPO 92 covers all tree species Within HRA Screening Area

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

Eastleigh Borough Local Plan Review (2001-2011) Saved Policies: 1.CO (Protection of the Countryside), 8.CO (Replacement dwellings), 59.BE (promoting good design), 25.NC (Nature Conservation), 28.ES (Waste Collection/Recycling), 100.T (Transport and New Development), 101.T (Transportation Contributions) & 104.T (Parking).

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014: Policies DM1, DM23, DM24, DM29, DM37 (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

Supplementary Planning Document: Quality Places, Planning Obligations & Residential Parking Standards

CHARACTER APPRAISAL AREA

Not Within Hedge End, West End and Botley Character Area

SPECIAL POLICY AREA

None

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

- Paragraph 6 states that "the purpose of the planning system is to contribute to the achievement of sustainable development".
- Paragraph 14 which states 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".
- Paragraph 17 which *inter alia* requires 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"; "encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value"; and "contribute to conserving and enhancing the natural environment and reducing pollution".
- Section 4 which relates to the promotion of sustainable transport.
- Paragraph 120 which stipulates that in order "to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location" and Paragraph 121 which requires that planning decisions ensure that "the site is suitable for its new use taking account of ground conditions and land stability, including from natural hazards or former activities such as mining, pollution arising from

NATIONAL PLANNING POLICY GUIDANCE

previous uses and any proposals for mitigation including land remediation or impact on the natural environment arising from that remediation."

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, trees, nature conservation, street scene and character of the area.

COMMENT ON CONSULTATION RESPONSES

	See below		Other……

COMMENT ON REPRESENTATIONS RECEIVED

None

PLANNING OBLIGATION/CONSIDERATIONS

The proposal is a resubmission of a previously approved scheme and any contributions would have been collected during the original application.

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."

Proposal

The proposal is a resubmission of a previously approved scheme for the erection of a detached dwelling with associated parking. The dwelling would be single storey with a hipped roof and the scheme involves the removal of the existing outbuilding/ stables. The only difference between the two schemes is that the proposed dwelling has now been moved an extra 2m back from the road so that it lines up with the rear of the existing outbuilding.

The dwelling will still sit roughly along the established building line and its amended position is not considered to have a material impact on the character and appearance of the locality or the amenity of neighbouring residents. There are no alterations to the approved site access or car parking and the house has been moved further away from the boundary trees so will have less of an impact on these trees. As such the case officers original assessment is still considered applicable, the scheme accords with the planning policies and is therefore recommended for permission.

Original Assessment for F/16/78330

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Principle

The site is located within an area of designated countryside where saved Policy 1.CO of the Eastleigh Borough Local Plan Review 2001-2011 seeks to protect the countryside from unnecessary development in recognition of the importance of the countryside to agriculture, the landscape, the setting of settlements, for recreation and for nature conservation, as well as to protect the countryside for its own sake and prevent undue harm to its intrinsic character. This policy sets out a clear presumption against residential development outside of the urban edge. In this regard the principle of development is unacceptable and contrary to the development plan.

However, also of relevance is the sites planning history. A prior notification application for a change of use from B8 (storage and distribution) to C3 residential dwelling was approved and therefore the principle of a residential dwelling on the site has been established on the site.

Whilst it is acknowledged that the prior approval has not been implemented on the site, consideration needs to be given to the planning history and what could be implemented on the site. Having regard to the prior approval application it is considered reasonable to consider the principle of a dwelling on this site has been established.

Layout, design and impact on the character of the area

The site currently consists of a detached single storey building and a detached stable building. No alterations to the stable building are being made under the current application.

The proposed dwelling would be single storey with a hipped roof, it is considered that the proposed dwelling would be modest in size and scale and have a smaller footprint than the existing building on the site. Having regarding to the size and scale of the existing building on the site and the reduction in the size of the proposed dwelling, the proposal is considered to be acceptable in terms of its size, form and design. It is considered that the proposed dwelling would not be disproportionate to the neighbouring properties or disproportionate in relation to its plot.

Following the officer's site visit, it is clear that the building has not been used for some time, it is considered that the proposed dwelling having regard to the removal of the existing building on the site and its reduction in size and scale would improve the visual appearance of the site.

The existing buildings on the site are well screened by the trees that are position on the boundary and the close boarded fencing that is positioned on the boundary of the site adjoining Allington Lane. It is considered that the proposed dwelling would not have a greater physical or visual impact on the character and appearance its surroundings or the countryside in general. It is considered that the proposed building will be well screened from the main road. The site is positioned between Allington lane and Quob Lane. Due to the topography of the site, the dwelling would be screened from Quob Lane.

It is therefore considered that having regard to the planning history, the existing nature of the site with a disused building and the reduction in the size and scale of the dwelling in relation to the existing building on site, it is reasonable to assess the application as a replacement dwelling. The proposed dwelling is considered to be acceptable in terms of its size, form and design and would not have a greater physical or visual impact on the countryside. The proposal is therefore considered to comply with Policy 8.CO of the Local Plan. It is considered reasonable to remove permitted development rights on the site to protect the character and appearance of the countryside.

Impact on residential amenity

The proposed dwelling would be located to the south east of Quob Cottage. It is considered that

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DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

due to the single storey nature of the proposed development and the separation between the two buildings the proposal would not cause material harm to the amenities of the neighbouring property Quob Cottage.

It is noted that Quob Cottage has side facing balconies on the southwest elevation, however, due to the separation between the Quob Cottage and the proposed dwelling, it is considered that the occupiers of the new dwelling would not be overlooked by the occupiers of Quob Cottage.

The Council's Quality Places SPD states that the minimum private amenity space for a dwelling should be at least 60% of the floor space of the dwelling. Having regarding to the space to the rear and side of the dwelling the proposal is considered to provide a suitable level of amenity for the occupiers of the proposed dwelling and accords with the Councils Quality Spaces SPD.

The dwelling would also be positioned in close proximity to Allington Lane which is a busy road. The applicant has submitted a noise assessment with the application, the assessment recommends double glazing, acoustic vents and a 1.8m high acoustic screen. Following consultation with the Environmental Health Team no objection to the application has been raised subject to conditions.

It is therefore considered that the proposed dwelling would not cause material harm to the amenities of the neighbouring properties and would provide a suitable level of amenity for any future occupier of the dwelling. The proposal is therefore considered to comply with Policy 59.BE of the Saved Local Plan.

Highway matters

Policy 104.T states permission will only be granted for development that provides adequate off-highway parking provision.

The application proposes a two bedroom bungalow, the existing access to the site will be used for the dwelling. In accordance with the Councils Residential Parking Standards SPD the proposal would require 2 onsite parking spaces. The submitted plans show that there is sufficient space on the site for parking of at least two cars. Following consultation with the Council's Head of Transportation and Engineering it is considered that the existing access has good levels of visibility and the on-site parking is acceptable and exceeds the standards required. Therefore no objection is raised on the grounds of parking and the proposal complies with Policy 104.T of the Saved Local Plan.

Trees

There is a row of TPO trees located along the northwest boundary of the site. Although the proposed dwelling will be push a further 2m back from the trees there is still the potential of the trees being impacted by the development and so an arboricultural impact appraisal and method statement is required. Unfortunately, the previously approved arboricultural impact appraisal and method statement (by Barrell Tree Consultancy dated 24th January 2013) has not been submitted as part of this application and so a pre-commencement condition will be used. No objection has been raised by the Tree Officer, subject to the recommended conditions.

Contamination

The application site has been previously used to store vehicles and is located within close proximity to poultry houses and therefore has the potential to be impacted by contaminants associated with these uses.

A Phase 1 Desk Study has been submitted with the application. Following consultation with the

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Council's Environmental Health team no objection to the application has been raised subject to conditions. Therefore no objections are raised on these grounds.

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.

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.

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

The recommendation is to permit

REF. NO. «AltRef»