MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/14/74182

DESCRIPTION/ ADDRESS	Construction of 1.no 1.bed attached house and conversion of existing house to 2no. 1 bed flats with associated access, parking, landscaping and cycle and bin stores (amended description) 39 Witt Road Fair Oak Eastleigh SO50 7FN

SITE VISIT DATE	17.4.14
ARE PLANS ACCURATE?	No. The proposed floor and elevation plans suggested the new attached dwelling to be 3.5m wide however the site and layout plan suggests it is 4m wide.
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	Construction of 1.no 1.bed attached house and conversion of existing house to 2no. 1 bed flats with associated access, parking, landscaping and cycle and bin stores (amended description)
SITE AREA	324.9sqm / 0.032ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	92.3dph
TOPOGRAPHY	The site slopes downwards in a SW direction
TREES	No protected trees within or adjacent to the site.
BOUNDARY TREATMENT	A 1.8m fence runs along the NW and NE boundaries. The site is open in all other directions.
SITE CHARACTERISTICS	Semi-detached two storey house with a hipped roof set on a large corner plot and back from the road by 5m. The property has been previously extended to the rear with a two storey flat roof addition and has a large and open wrap around garden.
CHARACTER OF LOCALITY	Inter war/immediately post war housing estate to the north of Fair Oak characterised by pairs of semi-detached two storey houses with hipped roof set back from the road by approx 5m.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/29899/000/00	Two storey rear extension	Permitted 5.2.88
Z/29899/001/00	Erection of attached garage	Permitted 28.5.93

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT

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72 Witt Road	Objected to the proposal on the basis that: • Added cars parked on the highway will result in overcrowding • Additional cars parked on the highway may obstruct emergency vehicles • Highway safety concerns with an access so close to the bend in the road
41 Witt Road	Objected to the proposal on the basis that: • The first floor will look directly into a bedroom window • Added cars parked on the highway will result in overcrowding and may obstruct emergency vehicles
64 Witt Road	Objected to the proposal on the basis that: • Added cars parked on the highway • Highway safety concerns with an access so close to the bend in the road

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Fair Oak Parish Council	No objection but concern expressed for adjoining neighbour
Head of Transportation and Engineering	Objection - lack of on-site vehicle parking, cycle parking and bin storage. The EBC Parking Standards stipulate that a if unallocated, 3 x 1-bed dwellings would require a minimum of 3 vehicle parking space, and so in this regard the proposed development accords to standards. However, for allocated parking to work, a quantum of development large enough to provide for elements such as car ownership / shift working / general flow of vehicles is required, and it is not considered that three dwellings is sufficient. As such, allocated parking should be required which equates to the need for 6 on-site vehicle parking spaces. If on-site parking is not provided, then it would be anticipated that there would be overspill onto the highway, which if localised as expected would be on the bend of Witt Road, causing potential highway safety issues. There is already unwelcome highway parking in the near vicinity as a result of dwellings being built with a lack of parking (due to their associated erea of construction) and there are resident concerns in regard to the potential for blocking of emergency vehicles on what is a relatively narrow section of highway. Additionally, there does not appear to be any designated storage space allowed / provided for cycle parking (promoting sustainable transport) or bin storage. In regard to the bin storage, this would be required for a minumum of 6 wheeliebins (2 each dwelling) with the potential for more if garden waste bins are also requested. Without this provision, there is potential for bins to be left in obstructive locations, be this on the pavement or blocking driveway spaces. Revised plans showing a minimum of 6 parking spaces, cycle storage and bin storage are required for the objection to be reconsidered. Sight lines from the access points are obstructed by the frontage hedgerow screening both on to the footway and the view of vehicles

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	approaching around the bend in Witt Road . An amended scheme is needed or refusal. If a permission is to be given to the application, then Developer Contributions will be required in line with the HCC Transport Contributions Policy, due to the anticipate increase in multimodal trips that the additional development will bring. In addition £6k is required towards the implementation of a TRO (yellow lines) in the vacinity of the site.
Head of Housing and Environmental Health	The development site is located within 250m of a landfill site. Section 9.3 of the Design & Access Statement (TR13/135) refers to a detailed environmental report, however a 'home check' environmental report has been submitted and this identifies that household waste was deposited at that location. • The site layout plan, for the ground floor (TR13/135/3) refers to a 'new sound wall lining' and Section 9.1 of the Design & Access Statement (TR13/135) refers to high performance sound insulation; however, no other details, information or explanation has been submitted. • The specification details (TR13/137/9) includes general comments about a basement raft floor but no other details. • The layout plans (TR13/135/3 & TR13/135/4) show bedrooms adjacent to living rooms and kitchens above / below bedrooms. • The development site is located within a residential area and has existing properties in close proximity on either side. Considering the above I wish to make the following comments: The applicant has not adequately considered the risk to the development from the identified landfill site and therefore the impacts on the design of the floor construction. In addition, there is no explanation about how the layout submitted has minimised the impacts of the new occupiers on each other, nor has it outlined or explained any proposed sound insulation measures. and therefore, at this time, I recommend a holding objection.

POLICY CONTEXT

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

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

Eastleigh Borough Local Plan Review (2001-2011):

- 28.ES (Waste Collection/Recycling),
- 34.ES (Sustainable Development)
- 35.ES (contamination)
- 59.BE (Development Criteria)
- 72.H (Density)
- 85.H (Conversion to Flats)

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

- 100.T (Minimise Travelling)
- 101.T (Infrastructure Contributions)
- 104.T (Parking)
- 147.OS (Public Open Space)
- 191.IN (Social Infrastructure)

Pre submission Eastleigh Borough Local Plan 2011-2029:

- DM1 (Development Criteria)
- DM2 (Sustainable Development)
- DM7 (Pollution)
- DM23 (Transport)
- DM24 (Parking)
- DM25 (Residential Development)
- DM29 (Internal Space Standards)
- DM32 (Public Open Space)
- DM35 (Community Infrastructure)
- DM37 (CIL/S106)

Supplementary Planning Guidance: Quality Places
Supplementary Planning Document: Planning Obligations
Supplementary Planning Document: Environmentally Sustainable Development
Supplementary Planning Document Residential Parking Standards

CHARACTER APPRAISAL AREA

Bishopstoke Fair Oak and Horton Heath Character Area – BiFOHH 20 requires development to retain grass verges, plot widths, and building lines

SPECIAL POLICY AREA

Not within a Special Policy Area

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework highlights 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" (para 56) and goes on to state that decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development (para 58).

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, street scene and character of the area.

COMMENT ON CONSULTATION RESPONSES

Noted and addressed below.

COMMENT ON REPRESENTATIONS RECEIVED

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Noted and addressed below.

PLANNING OBLIGATION/CONSIDERATIONS

In accordance with the provisions of Circular 05/05 saved policies 101.T, 147.OS and 191.IN of the Eastleigh Borough Local Plan Review 2001-2011 and supplementary planning document. Planning obligation contributions are sought to offset the impact of the development on local infrastructure. For this development contributions are sought towards Community Infrastructure, Sustainable Transport and Public Open Space. The applicant has secured these contributions through a direct payment.

As a direct result of the proposal a contribution is also required towards the provision of a Traffic Regularion Order to allow double yellow lines to be painted on the bent to improve highway safety. This has not been secured and therefore forms a reason for refusal.

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."

MATERIAL CONSIDERATIONS

Principle: The application site lies within the urban edge and within an established residential area where saved policy 72.H and emerging policy DM25 accepts the principle of creating new dwellings, particularly in areas well served by public transport, services, and facilities. The density of this proposal is 92 dwellings per hectare which is considered high density.

Layout/Design/Impact on Street Scene: The plot is such that it is capable of accommodating an extension to the existing house. It is also capable of accommodating a conversion of the existing house to two flats and is capable of meeting the requirements of policy 85.H. It is not however large enough to comfortably contain 2.no flats and an attached house with all of the associated provision required. Flats and houses have different provision requirements particularly in terms of amenity space and the way in which parking provision operates.

Whilst the plot appears large and open the existing property is set quite far back on the plot resulting in a very small rear garden area which has been partially taken up by a two storey extension. The proposed attached house further erodes the side garden area. The remaining undeveloped space needs to accommodate the required parking provision, access footpaths, bike and bin storage areas and amenity space appropriate for two flats and a house. As detailed below, whilst these provisions have been made, the quality, location, and amount of provision is not considered acceptable and has result in a site that appears cramped and congested. This leads to the view that the site is overdeveloped and would result in a poor living environment for the future occupants.

In terms of the design of the proposal, the house conversion to flats is considered acceptable. The flats have independent access via a shared lobby area and the conversion does not result in any elevational alterations. The attached house is set back from the principal elevation creating a hint of subservience however the continuation of the hipped roof over the proposed attached house undermines this creating the appearance of a terrace of houses which is an alien built form within what is a relatively strong street scene of semi-detached houses.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

In terms of the internal proportions of the properties, The three properties fail however to meet emerging policy DM29's requirements for internal space standard for a 1 bed flat/house being 51sqm of floor area. Each flat provides approx 45.8sqm of accommodation and the house provides 39sqm of accommodation. As this is an emerging policy that holds limited weight it has not been used as a reason for refusal but does however reinforce the cramped and congested nature of the site.

Residential Amenity: Due to the orientation and size of this corner plot the proposal is not considered to result in any overbearing, loss of light, or loss of outlook. Two first floor windows serve a bedroom and/or bathroom where the uses are not considered to compromise the privacy of neighbouring properties. The remaining first floor window serves a kitchen which is classified as a habitable room. This window will allow direct views down the gardens of 41-51 Witt Road resulting in an unacceptable level of overlooking and loss of privacy, contrary to the requirements of saved policy 59.BE and emerging policy DM1.

As detailed above, the proposed properties provide inadequate internal accommodation results in a poor quality living environment detrimental to the amenity of the future occupiers.

The amenity space provided is also inadequate in nature, provision, and size. It is generally accepted that flats can share a communal amenity space equating to not less than 25sqm per flat. The new property is internally laid out as such that it would be considered an attached house. As such it requires its own independent and private amenity space equivalent to 60% of the floor space. The amenity space provided equates to approximately 115sqm which combined would equate to a reasonable area of amenity however much of this is unusable due to its location at the rear and being taken up by bin/bike storage and footpaths and it is not considered acceptable for the proposed house and flats to share one communal amenity space. The communal space provided is also afforded limited privacy due to its location to the side of the properties. It is adjacent to the parking spaces which will make the amenity space noisy and disruptive and the proposed boundary screening may compromise visibility splays into and out of the proposed parking giving rise to highway safety concerns. Overall the proposed amenity space is considered unacceptable and reinforces the cramped and congested layout of the site.

In addition to the above the application does not adequately detail how noise transference from adjacent properties will be mitigated or managed, particularly with bedrooms adjacent to kitchens/lounge areas. Without these details there is a risk that adjacent uses could adversely affect residential amenity thereby being contrary to saved policies 59.BE and 85.H and emerging policies DM1 and DM7. It is acknowledged that these details could have been secured via an appropriately worded condition had the application been acceptable in all other respects.

Access/Parking: Saved Policy 100.T and emerging policy DM23 expects development to be sited close to, or well served by, public transport, cycling and walking. The site is within the urban edge, minutes of a regular bus service, cycle routes and is accessible by foot.

The site will have two access points via dropped kerbs at either end of the site. Both access points are on the bend of the road where visibility is already compromised and obstructed by cars parked on the road. The proposed boundary screening for the amenity space will further inhibit visibility around the corner when accessing the site giving rise to highway safety concerns.

Saved Policy 104.T and emerging policy DM24 states permission will only be granted for development that provides adequate off-highway parking provision and our Parking Standards SPD supports this. In line with the EBC Parking Standards, the proposals requires policy requires 1

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

unallocated space per one bed property with 20% overspill for visitors. Whilst the development would accord with these standard if the parking is provided on an 'unallocated' basis.

Witt Road is a well-known problem area in the borough, with parking of great concern to residents. This has resulted in numerous complaints, and even verge parking bans as the issue was becoming obstructive. Several neighbours have also objected to the proposal on the basis of highway safety and lack of parking.

For a development of this size, in a location where parking issues already exist, our Highway Engineers not believe the standard requirements are sufficent and that for the quantum of development unallocated parking will not work effectivly in terms of vehicle turnover / utilisation of empty spaces and is very likely to result in additional cars parking on the road. This could well be obstructive to emergency vehicles and existing residents, and also a danger in terms of obstruction to sight lines. To prevent parking on the bend the development is expected, in addition to the standard sustainable transport contributions, to contribution towards the provision of double yellow lines on the bend, this does however mean that any overspill parking will be pushed to other parts of Witt Road cuasing obstruction to other properties within the street.

Contamination: The site is located within 250m of a former land-fill sit where the risk of made ground are likely. Whilst the deisgn and access statement makes reference to a detailed environmental report this has not been provided to the LPA, only a 'home check' environmental report which identifies that household waste was deposited at that location. The information provided is inadequate and thus the application fails to demonstrate that the risk of of the developmentand futurwe occupiers from contamination have not be fully considered. The proposal is therefore contrary to saved policies 35.ES and 59.BE and emerging policies DM1 and DM7. It is acknowledged that these details could have been secured via an appropriately worded condition had the application been acceptable in all other respects.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the Revised Draft Eastleigh Borough Local Plan 2011-2029. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. 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

In view of the above this application is considered to conflict with the requirements of saved and emerging policies and is therefore recommended for refusal.