MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/12/70269

DESCRIPTION/ ADDRESS	Erection of 3no. dwellings comprising 1no. 4-bed detached with integral double garage, 2no. 3- bed detached dwellings with associated parking areas (amended description) 4 Cedar Row Botley Road Horton Heath Eastleigh SO50 7FJ

SITE VISIT DATE	28th May 2012
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	Erection of 3no. dwellings comprising 1no. 4-bed detached with integral double garage, 2no. 3- bed detached dwellings with associated parking areas.
SITE AREA	778.7sqm/0.078ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	38.5dph
TOPOGRAPHY	The site and surrounding area is flat and level.
TREES	It is my understanding that there were several mature trees within the site that have been felled. The site backs onto public open space which contains numerous trees however none are specifically protected.
BOUNDARY TREATMENT	The site is entirely enclosed by 1.8m fencing.
SITE CHARACTERISTICS	The site has been cleared of all vegetation and is now flat and open with only a few remnants of vegetation remaining. There is a shed sat in the centre of the site.
CHARACTER OF LOCALITY	Residential development of mixed types styles and designs of two storey housing. To the north is Orchard Drove and to the south is Cedar Row, both of which are new build back land development. The proposed development will form part of Cedar Row. To the east are the original houses whos gardens have been developed to allow for the proposal, Orchard Drove, and Cedar Row to be built and to the west is public open space.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
	Various applications for land adjacent to the site including those listed below that have been implemented.	

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/37458/000/00	Erection of 3 no. Detached two storey dwellings with garages, car parking and vehicular access from Botley Road.	Permitted 2001 and implemented with the dwellings now forming 1-3 Orchard Drove.
F/07/59951	Erection of 4no. Four bed houses with associated parking including car ports for four vehicles.	Permitted 2007 and implemented with the dwellings now forming 1-4 Cedar Row.

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
4 Cedar Row	Objected to the application on the basis of: • Overdevelopment of the site • Poor design, appearance and layout • Not in accordance with government and local policies • Loss of trees • Inadequate Parking/servicing • Highway safety and traffic impact • Refuse collection concerns • Concerns relating to access for emergency vehicles
3 Cedar Row	Objected to the application on the basis of: • Inaccuracies in the application form and design and access statement • Lack of parking • Access is insufficient to serve the existing and proposed houses • Area for bins to be collected on main road insufficient • The proposed 4 bed house is out of keeping
1 Orchard Drove	Objected to the application on the basis that: • The proposed 4 bed property is too close to the boundary with its neighbour. • The proposed 4 bed property does not respect the building line of Orchard Drove and will be very prominent when entering No.1 Orchard Drove.
Anonymous	Objected to the application on the basis that a restrictive covenant prevents more than one house being built on the land.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Fair Oak Parish Council	No objection. Members expressed concern over vehicle turning, parking and visitor parking.
Head of Planning Policy and Design	No comments received.
Head of Transportation and Engineering	No objection to the revised parking layout and sufficent cycle parking has been provided. Vehicle access is achievable, but refuse access will be resticted with no turning head. As a new development DC's will be required in line with the HCC transport contributions policy and

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	would be allocated to schemes in the local vicinity which are either of benefit to the residents of the proposed development, or go to mitigate against issues caused by the develepment.
Head of Environmental Health	No objection. Environmental protection and amenity conditions recommended.
Direct Services	No objection. Bin collections will be arranged to service Cedar Row and no longer collect from Botley Road.

POLICY CONTEXT

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

DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011):

- 28.ES (Waste Collection/Recycling),
- 59.BE (Development Criteria)
- 72.H (Density)
- 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)
- 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 26 which requires back land development to be subordinate to existing development and serviced via a separate access road.

SPECIAL POLICY AREA

Not within a Special Policy Area

NATIONAL PLANNING POLICY GUIDANCE

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 combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, trees, street scene and character of the area

COMMENT ON CONSULTATION RESPONSES

The consultee responses are considered within the "assessment of proposal" section of this report.

COMMENT ON REPRESENTATIONS RECEIVED

The representations received have been noted and the restrictive covenant is not a material consideration to this application. All other matters are addressed within the "assessment of proposal" section of this report.

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 the required contributions through a direct 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."

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. The density of this proposal is 38.5 which is within the councils range of acceptable densities. The site is also within an established residential area where the principle of development is generally considered acceptable subject to the details and impacts of the proposal being considered acceptable, as set out below.

Saved Policy 59.BE of the Local Plan and emerging Policy DM1 of the Pre-submission Eastleigh

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Borough Local Plan both require 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, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, and loss of outlook, noise and fumes.

Layout/Design: Layout and design features of the existing Cedar Row development have been pulled through to the proposal which mean that they relate well to each other and create a harmonious street scene, whilst retaining a degree of individualism to define the two separate developments.

The 4 bed property is a slightly different design with its front projection with dormer window however it creates a 'stop' to the Cedar Row development. The ridge of this projection has been reduced and a cropped gable added giving it a subservient appearance which also reduces its impact on 1 Orchard Drive and the street scene (see further comments below).

The front of the development has an open and uncluttered appearance with simple car parking bays and all bin and cycle storage to be contained within private garden areas. Landscape conditions are recommended to ensure the front of the development is aesthetically pleasing and in keeping with the original section of Cedar Row.

Residential Amenity: To assist with assessing the impact of a development on neighbouring properties Supplementary Planning Guidance: Quality Places has been produced which gives guidance on over looking, loss of light, amenity space for new dwellings and refuse storage. The proposed conversion does not involve any alterations to the exterior of the property and is not therefore considered to result in unacceptable impact to neighboring properties by way of a loss of light, outlook, overbearing impact or overlooking.

The proposed dwellings replicate the spacing between properties and building orientation of the existing 4 properties. Due to this there are not considered to be any loss of light, outlook, overshadowing or overbearing issues to properties in Cedar Row. It is noted that due to the orientation and design of the 4 bed unit it visible when approaching Orchard Drove and sits close to the boundary with No.1 however the design of this element has be significantly reduced from that previously permitted. The ridge height has been reduced and a cropped gable added. Although it is still visible, the structure is to the front of No.1 where it is not considered to unacceptable harm the amenities of the neighbouring property.

With the exception of the dormer to the front of the proposed 4 bed, the majority of the new windows facing front and back do not look directly onto neighboring land. They will inevitably allow opportunities for an element of overlooking into neighboring gardens however using 45degree visibility splays, any views will be focused towards the rear of neighboring gardens. The rear bedroom windows would allow angled views of parts of the rear gardens however such views from first floor bedroom windows of adjoining rear gardens are a common feature of urban development and do not give rise to undue loss of privacy, mainly because bedrooms and gardens are normally in use at different times of the day. With the exception of the dormer window, all side facing windows are conditioned to be obscure glazed with no opening parts below 1.7m to protect the privacy of neighboring properties. In view of this there is not considered to be any unacceptable loss of privacy as a result of the proposal.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

The Quality Places guidance also provides advice on the level of private amenity space required for new residential properties. The required garden space is for a minimum of 60% of the floor space of the property provided. The two three bed properties achieve this. The 4 bed property is slightly under this requirement however given its southerly orientation and the usability of the entire garden (not screened by trees etc…) and its close proximity to public open space this is considered acceptable.

Highway matters: Policy 100.T expects development to be sited close to, or well served by, public transport, cycling and walking. Policy 104.T states permission will only be granted for development that provides adequate off-highway parking provision.

Access to the site is via the existing arrangements, using the private access along the southern boundary of Tilehurst. The existing access is considered acceptable to serve the existing and proposed dwellings without any alterations. Neighbour objections to the access and in particular its width and ability to meet standards for emergency vehicles and refusal collection have been noted however Transportation and Engineers have confirmed that although access is tight with no turning head being provided, access is still considered sufficient noting that soft landscaping/grassed areas could be utilised in an emergency to gain access to the proposed 4 bed.

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 is therefore considered to be adequately accessible.

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 for the 3 bed units requires 2 parking spaces. These are provided to the front. The 4 bed property requires 3 parking spaces. 1 space will be provided within the integral garage and the other 2 to the side of the property. As all parking is allocated and on current non-utilised land, this development will not negatively affect the provision of parking for the existing residents of Cedar Row. The proposals are considered to accord with policy requirements

Saved and emerging policies along with the parking standards SPD also requires the provsion of appropriate and sufficent cycle storage. It is proposed to provide individual cycle sheds located in the rear gardens of each of the proposed three dwellings. The sheds meet minimum size requirements and therefore the proposals are considered to accord with policy requirements.

Trees: The representation received regarding the trees have been noted however it is my understanding that there were several mature trees within the site that have been felled however these trees were not protected trees or landscape features and therefore site clearance was considered legitimate.
The site backs onto public open space. There are no trees within the public open space and in close proximity to the sites boundary that are likely to be affected by the proposal.

Street Scene/Character of Area: The proposed development falls within the Bishopstoke Fair Oak and Horton Heath Character Area – BiFOHH 26 which requires back land development to be subordinate to existing development and serviced via a separate access road. The proposed development abuts onto the existing Cedar Row development and will utilise the existing access road which is considered acceptable to serve the development (see highway matters above). The

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

development broadly follows the same theme as the existing Cedar Row development and is respectful to existing residential properties (see Layout/Design & Residential Amenity above). The proposed development is therefore considered to comply with the requirements of the Character Area and is considered to respect the existing street scene and character of the area.

Refuse Collection: Saved Policy 28.ES, emerging policy DM1, and the Quality Places SPD requires adequate provision of waste disposal/bins to be provided. The plans indicate that bin storage will be within the rear gardens of each individual property and in this instance Direct Services have confirmed it is not necessary to build a bin store for the 3 new properties and that they are happy for storage to be provided within each individual property. The consultation responses regarding bin collection and the highway impacts on Botley Road have been noted however through discussions with Direct Services they have confirmed that they have a small 7.5 tonne Refuse collection vehicle in that area it will be possible to access the full length of the road to collect from the 7 properties without any resident having to take their bin to Botley Road on collection day, this resolves any highway safety issues. Engineers have checked and confirmed that the access road for the original 4 properties would be constructed to highway standard and is therefore capable of withstanding the weight of the refuse vehicle. On this basis there are no concerns with regard to refuse collection or storage.

Sustainability: In accordance with emerging Policy DM2 new dwellings are required to meet the requirements of our Environmentally Sustainable Development SPD. The applicant has submitted a pre-assessment estimator which demonstrates the development is capable of achieving Code Level 3, which was appropriate at the time of receipt of the application. Relevant conditions have been recommended to ensure the development meets the code.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

In view of the above the proposed development is considered to comply with saved and emerging Local Plan Policies and the appropriate guidance contained with the relevant SPD/SPG's and is therefore recommended for approval subject to conditions.