MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/15/76112

DESCRIPTION	Erection of 1no. 4 bed dwelling following demolition of existing bungalow
ADDRESS	35 Oakgrove Road, Bishopstoke, Eastleigh SO50, 6LN

SITE VISIT DATE	18/6/15
ARE PLANS ACCURATE?	Yes, amended plans were sought
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	• The application is proposing a 1x4 bed two storey dwelling
SITE AREA	• Not known
RESIDENTIAL DEVELOPMENT DENSITY (NET)	• One
TOPOGRAPHY	• No noticeable changes in level
TREES	• No tpo trees
BOUNDARY TREATMENT	• Mix of 1 and 1.6 metre fence
SITE CHARACTERISTICS	• The application site contains a detached bungalow • At the front elevation there is garage which is attached • There is parking for three vehicles • The rear garden backs onto to open space/countryside • There is a very small lean to at the side adjacent to number 34

THE SITE AND ITS SURROUNDINGS

CHARACTER OF LOCALITY	• The immediate surrounding area contains detached bungalows which have been extended, and some of which have first floor accommodation

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Q/14/75621	Pre app enquiry: Erection of 1no. 4 bed dwelling following demolition of existing bungalow	Likely to be supported 12/1/15

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Mr and Mrs Ash 60 Oakgrove Road	Object, privacy
Dr Judith Eckert 34 Oakgrove Road	1. Along Oakgrove Road most properties are 1-1.5 storey bungalows, some of which have loft extensions and steeply pitched roofs/sloped ceilings in upstairs rooms served by dormer or velux windows. The above plans show a two storey dwelling with a full height second floor. This would be the only house of its kind not reflecting the character of the area and could be seen as visually intrusive due to design. 2. First floor: there are two dormer windows on the west side elevation of my house facing no 35, one is a bedroom and one a bathroom. The above plans for no 35 show 2 windows on their east elevation. Although obscured, it is not clear where those will be in relation to my existing dormers, potentially resulting in serious overlooking and loss of privacy for both properties, especially when windows are open. 3. Ground floor level: On the above plans, it is not clear whether there is a new main side access route planned between no 34 and no 35, in addition to the west side elevation access between no 35 and no 36. Whilst the side elevation plans do not show a side access door to the utility room, the layout plans do, suggesting that this side could become a major access route from the front, being only 1-2m away from my west elevation which has windows (see next point).

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	4. Ground floor level: My property has 2 windows on the west side elevation facing no 35, one of which is a kitchen/family room approximately 10-15 m into the plot from the street. In order to remain level on a slightly sloped site, no 34 is piled slightly elevated towards the rear resulting in about 50cm elevation from ground level where the kitchen/family room window is located. It is not clear where this window would be both level-wise and location-wise in relation to the proposed utility room door, the proposed bathroom windows on the first floor or the 2 storey high east side elevation of the main house of no 35. This could result in serious overlooking and loss of privacy and light for no 34 in the kitchen/family room.
Mr Crawford 36 Oakgrove Road	The building will be totally out of character with the rest of the road. I am really concerned about the damaged that will be caused to our bungalow when the new build takes place, it is a very known fact that our homes are prone to subsided. When 34 was built it caused subsides to no. 35.
Mr Moore 61 Oakgrove Road	Oakgrove road is a mixture presently of dorma bungalows and single storey dwellings. The proposal to build a house right in the middle of this is totally out of character and not in keeping with the surrounding buildings. This in itself will be totally out of place within the area of Oak Grove Road. i appreciate that the building next to the proposed application is a 2 storey dwelling but this is still in keeping with the character and visual aspect of a dorma bungalow

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
BST	No comments received
ENV	The FRA submitted with this application does not comply with the requirements set out in Paragraph 030 of the Planning Practice Guidance on Flood Risk and Coastal Change. The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted FRA fails to: 1. Fully assess the effect of a range of flooding events including extreme events on people and property on the site. 2. Indicate any improvements, mitigations or flood proofing added to the new property e.g. rising of floor levels. 3. Consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	4. Assess flood risk from other sources of flooding.
ENG	No objection
HPP	Commented that the development needs to meet Code 4 standard for energy and water. This should be a commitment at planning app stage and covered by conditions: Energy standard with SAP data and water with BRE water calculator at design and post construction stages pre commencement and occupation respectively.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Flood zone 2 and 3

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

Eastleigh Borough Local Plan Review (2001-2011) saved policies 43.ES, 44.ES, 59.BE, 104.T
Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, policy DM1, DM4, DM24, DM25 (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 Guidance: Quality Places (2011)
Supplementary Planning Document: Environmentally Sustainable Development (2009)
Supplementary Planning Document Residential Parking Standards (2009)

CHARACTER APPRAISAL AREA

NA

SPECIAL POLICY AREA

NA

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

Paragraph 17 of the NPPF 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". It goes on to say in paragraph 56 that "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

Paragraph 53 of the NPPF also 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 of the National Planning Policy Framework states that "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

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 residential amenity, highway matters, trees, nature conservation, street scene and character of the area.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

Noted, the concern that the dwelling would be out of character is agreed with. However it is worth noting that number 34 is a two storey dwelling. Regarding the comment made by the occupier of number 34 about the proposed elevations not showing the utility door this has been amended. The windows will be two rooflights and will be significantly less if at all detrimental to this occupiers privacy in comparison to this neighbours two side facing dormer.

The comment about subsidence is not a planning consideration, this is a matter which would be dealt with by building control.

PLANNING OBLIGATION/CONSIDERATIONS

NA

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 site lies within the urban edge where the basic principle of development is considered to be acceptable. 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."
Saved policy 59.BE of the Local Plan 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, have a satisfactory means of access and layout for vehicles, cyclists and pedestrians, 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.

Layout, Design and Impact upon the Character and Appearance of the Area

Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011) and Policy DM1 of the Revised Pre-Submission Eastleigh Borough Local Plan 2011-2029 requires development to take full and proper account of the context of the site including the character and appearance of the locality. This requirement is reiterated within the guidance contained within the Council's adopted Quality Places Supplementary Planning Document, as well as in the NPPF which states 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" (paragraph 64).

The proposal is intending to demolish the existing detached bungalow and to replace it with a 4 bedroom two storey dwelling.

Oakgrove Road is characterised with detached bungalows of two very distinct styles, chalet and traditional pitched roofs. The majority of the bungalows have pitched roofs with a number of them having the provision of some form of accommodation in the roofspace. Even with the alterations to the roofs which include dormers, the simplistic nature of the bungalows has been retained.

The application site was subject to pre-application advice where the design of the house was proposed to be similar to the neighbouring property; number 34. Number 34 was given planning permission for a two storey dwelling following the demolition of the existing bungalow. Having undertaken a site visit to assess the application site and wider streetscene, it was concluded that the cropped gable roof profile has created an unattractive feature owing to the resultant bulk, mass and roof form which features side dormers. Further to which the use of render draws attention to the fact that the house is out of character within the streetscene.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

The outcome of the advice was based on comments made informally, on the information provided with a caveat that the guidance will not be binding on any future planning applications. It was suggested that a pitch roof would be more appropriate in order to respect the character of Oakgrove Road. In isolation the design and appearance is acceptable, the concern is the impact of a two storey dwelling in a street which is characterised with bungalows

During the site visit the strong character of the locality was observed and how as already been mentioned the neighbouring bungalows maintain their original appearances even with the addition of dormers. Irrespective of the outcome of the pre-application, having taken a site visit, the Local Planning Authority is of the opinion that allowing further two storey dwellings would be detrimental to the Oakgrove Road and would fail to respect the character and pattern of development.

Residential Amenity

The Quality Places SPD requires proposals to take into account the relationship between neighbouring properties to ensure a reasonable level of daylight is achieved, and that a high standard of privacy is required when extending at the rear.

The level of overlooking whilst different to what is perhaps experienced is not considered to be detrimental. The occupiers of number 60 commented that the proposal would result in loss of privacy, however the application site is located 60 metres away at an angle from these occupiers.

The neighbour at number 34 has made comments about the window on the ground floor flank elevation. There is no window proposed and regarding the comment about overlooking and loss of privacy from the proposed bathroom windows, a degree of pragmatism must be used. Bathrooms are used very differently to bedrooms, further to which the windows proposed are rooflights and the very nature of these afford limited outlook.

Overall it is considered that the level of overlooking, impact upon privacy would not be detrimental to the amenity of neighbouring occupiers.

Highways

The concerns that were had by the head of transportation and engineering have been addressed as the required three off road parking spaces were demonstrated.

Flood Risk

The application lies within a flood risk 2 and 3 area and as such a flood risk assessment was required. The submitted flood risk assessment has been found unacceptable by the Environment Agency as it fails to:

1. Fully assess the effect of a range of flooding events including extreme events on

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

people and property on the site.

2. Indicate any improvements, mitigations or flood proofing added to the new property e.g. rising of floor levels.

3. Consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event.

4. Assess flood risk from other sources of flooding.

Sustainability

Had the development been considered acceptable the appropriate conditions would have been attached.

OTHER MATERIAL CONSIDERATIONS

Also of relevance Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. 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

(1) The proposed development due to its siting, design, massing, scale, materials, would create an unattractive and incongruous feature at odds with the appearance of the locality and detrimental to the character and pattern of development within Oakgrove Road. The proposal is contrary to saved policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011, policy DM1 of the 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' and Supplementary Planning Guidance: Quality Places (2011).

(2) Insufficient information has been submitted to allow the local planning authority to make a full and proper assessment of the proposal in respect of flood risk assessment, contrary to saved policies 43.ES, 44.ES of the Eastleigh Borough Local Plan Review (2001-2011, policy DM4 of the 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'