MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. O/17/79997

DESCRIPTION/ ADDRESS	Outline application: Construction of 1no. 3 bed chalet bungalow with associated access, car parking and amenity area (access, appearance, layout and scale) 1 Southern Road West End Southampton SO30 3ES

SITE VISIT	Yes
ARE PLANS ACCURATE?	The plans are sufficient to determine the outline planning application
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	Outline planning application for the erection of a three bed detached chalet bungalow at the side of 1 Southern Road and sub division of the existing plot. The application will consider access, appearance, layout and scale, with landscaping reserved. The chalet bungalow has a pitched roofline that is a cropped gable at each side and has 2no. dormer windows at the front and rear and a central front porch. The dwelling measures 6m(w) by 11m(d) by 6m(h). In front of the dwelling are two off road car parking spaces with access off Southern Road and there is a garden to the rear.
SITE AREA	236m2 approximately
RESIDENTIAL DEVELOPMENT DENSITY (NET)	42 dwellings per hectare
TOPOGRAPHY	The land slopes sharply down from the western corner towards the house, following the slope of Southern Road. It also slopes up from the site along Western road so that no.1a is on a higher level.
TREES	There are several mature trees on and off site (blanket TPO's 60 & 333). This includes a significant sweet chestnut at the front of the site near where the house will be positioned (TPO 333).
BOUNDARY TREATMENT	Low wall at the front. The rear garden is well screened by high hedging and vegetation along the site boundaries.
SITE CHARACTERISTICS AND CHARACTER OF LOCALITY	The proposed dwelling will sit between the detached two storey house at no.1 and a large detached bungalow at 3 Southern Road. The site is located within a mixed residential area, characterised by detached bungalows, chalet bungalows and two storey houses fronting the road with gardens to the rear. There has been some single infill housing developments within the local area.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/33487	Construction of two storey rear extension (at 1 Southern Road)	Permit (Dec 1994)

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/05/55046	Construction of 2 storey dwelling, following demolition of existing garage, utilizing access from Western Road (permission for 1a Western Road)	Permit (Oct 2005)
F/16/77808	Two storey rear and first floor front extensions including raising of roof to provide first floor accommodation (at 3 Southern Road)	Refused (Mar 2016)
F/17/80158	Raising of roof to provide first floor accommodation, construction of 4no. dormer windows, rear extension, revised ground floor fenestration, carport and rendering property (at 3 Southern Road)	Under determination

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
13 Southern Road (letter of objection)	This Road is already busy enough and I feel that yet more character will be lost with cramming in yet another building. There is so much construction in this area at the moment and clearly no shortage of new homes.
18 Southern Road (observation letter)	The scale and location of this proposed property would result in an awkward development that would be out of keeping with the appearance of the street scene. The first floor rear windows would cause loss of privacy to properties in Telegraph Road.
3 Southern Road (letter of objection)	We object to this proposed development for the following reasons : 1. The design would create an unduly ugly feature that would be detrimental to the character and appearance that is not in keeping with the current attractive street scene in Southern Road. 2. The siting of the building would be too close a proximity to our home so would be intrusive to our privacy. 3. We are deeply concerned about the harmful impact any development would have on the sweet chestnut tree in our front garden. The tree is subject to a TPO and is very close to the proposed building so any development would have a long term harmful effect to the health of the tree and could threaten its long term retention as an attractive feature within the locality. 4. The impact on visitor parking in front of the proposed property.
6a Western Road (letter of objection)	We wish to object to the proposed planning application on the following grounds: 1. Southern road has become an extremely busy road with traffic increased significantly over the last few years, it has in fact become 'rat run', type road now.No.1 southern road is at the junction of Southern road and Western road ,cars travel up and down Southern road and then along Western road to Telegraph road to avoid the speed bumps there. There has already been an accident at that junction and numerous near misses, this is right opposite

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	our house. Cars are always parked on Southern road including the car of No.1 Southern road, this cause reduced space on the road itself. Having another house with vehicular access for a minimum of two cars is only going to increased the risk of more accidents. The Mildren construction of houses very nearby on Telegraph road and the Barratt development of Moorgreen Hospital is a gross over development in an area that at present is having difficulty with the traffic increases and it will only get worse 2. The style of house proposed is out of context with the rest of the houses on Southern road and Western road and would be out of character, it is in our view a gross over development and would ruin the street scene. 3. The proposed work to build this house would effect the root system of the large oak tree on the upper side of this site. We would be willing to discuss this matter further with any planning officer if considered necessary.
1a Western Road (observation letter)	I am concerned with the proximity and height of the proposed new dwelling, in particular the outlook from the two rear first floor windows onto my property and back garden. I do not object to the proposed development provided I do not lose my current privacy.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
West End Parish Council	Objection on the grounds of: 1. The proposed development, by reason of its siting, design, materials and close proximity to neighbouring properties would create an incongruous and unduly prominent feature that would be detrimental to the character and appearance of Southern Road. 2. Concern that the proposed development may damage the health and long term retention of the TPO trees that are an important and attractive feature within the locality.
Tree Officer	The site is currently private garden to the site of number 1 Southern Road. The site slopes to the north. There are several mature trees on and off site, but the one that is likely to be impacted the most is T3 in the garden of number 3 Southern Road. This tree is a significant sweet chestnut protected under a Tree Preservation Order. I raise an objection to the proposed development based on the following: 1. The site has a significant slope to the north. T3 will have a predicted RPA of 12m radius. This will encroach into the site by approximately 7-8m making the necessary ground works (levelling, foundation, etc) difficult, if not impossible, with regard to the protected T3. 2. The report fails to meet the minimum criteria stated in British Standard 5837:2012. The nominal radius of the RPA has not been stated (clause 4.6.1), the trees have not been categorised (clause 4.5.1) and no arboricultural impact assessment (evaluation of the direct and indirect effects of the proposed design and any mitigation) has been provided. 3. Inaccuracies with the report. The report estimates that T3 is a 30m high,

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	650mm diameter sweet chestnut (although the report also states that the tree is an *Aesculus*), when it is in fact an approximately 15m high, 990mm diameter sweet chestnut. 4. The plan is not drawn to scale, the RPAs are not scaled or a reflection of their true size and them stems have not been plotted.
Transport and Engineering	No objection, subject to: 1. Three vehicle parking spaces being provided for the existing 1 Southern Road – it appears to be a 4-bed dwelling, with adequate driveway and garage space for this, but plans don't show; and 2. Two vehicle parking spaces to be provided for the new 3-bed dwelling – which are shown on plans. A vehicle crossover will also need to be implemented. These parking spaces can be covered through planning conditions.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Within HRA Screening Area Blanket Tree Preservation Order on site Within Solent Mitigation and Disturbance Zone

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

Eastleigh Borough Local Plan Review (2001-2011): 25 NC (Nature Conservation), 28.ES (Waste Collection/Recycling), 59.BE (Development Criteria) & 104.T. (Parking).

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014: DM1 (Development Criteria), DM9 (Nature Conservation), DM24 (Car Parking)
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 Documents: Quality Places, Environmentally Sustainable Development & Residential Parking Standards

CHARACTER APPRAISAL AREA

Within Hedge End, West End and Botley Character Area – HEWEB 7
Inter-war/immediate post-war development on the south eastern edge of West End, off MoorhillRoad and Telegraph Road in a fair condition. The strength of character is moderate and guidance states:

- Maintain the predominant orientation of ridgelines in the existing development relative to the slopes on Western Road and Southern Road.
- Retain the grass verges.

SPECIAL POLICY AREA

None

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) supports and encourages sustainable development which is considered to have three roles, economic, social and environmental. Paragraph 8 of the NPPF states that "These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions."

The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be "out-of-date". The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

Paragraph 17 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".

Paragraph 53 of the NPPF 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."

While the appearance of buildings is important, paragraph 61 of the NPPF states that "securing high quality inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. "It goes on to say in 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,

POLICY COMMENTARY

street scene and character of the area.

COMMENT ON CONSULTATION RESPONSES AND REPRESENTATIONS

Comments are noted. The proposal's impact on the character and appearance of the locality, neighbouring dwellings, protected trees and highway matters will be considered in the assessment section.

PLANNING OBLIGATION/CONSIDERATIONS

In accordance with the provisions of the following;

- National Planning Policy Guidance
- Saved policy 25.NC of the Eastleigh Borough Local Plan Review 2001-2011
- Policy DM9 of the Submitted Eastleigh Borough Local Plan 2011-2029

The site falls inside the 5.6kn buffer zone for the Solent SPA and so planning obligation contributions are sought towards the Solent Mitigation and Disturbance Project, which aims to protect overwintering birds using the coast line from disturbance caused by additional visitors. Should the scheme have been recommended for permission then a contribution of £172 would have been sought.

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 is located within the urban edge, where the principle of development is acceptable subject to the consideration of the detailed matters. 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 both in themselves and in relation to adjoining buildings, spaces, views natural features and trees worthy of retention. 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, loss of outlook, noise and fumes.

Character and Appearance

The dwelling will be sited in the space between no's 1 & 3 Southern Road, which currently contains a mixture of vegetation and one particularly attractive Sweet Chestnut Tree near the front (covered by Tree Protection Order 333). The verdant character of the site and its relatively open nature provides a pleasant and much needed visual gap between the built form of the two adjoining dwellings, which adds to the spacious and treed character of the locality. While it is acknowledged that there has been other infill housing within the locality, these have tended to retain spacing

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

around the properties so that they are more respectful of the character of the locality.

The proposal will replace the current gap with a chalet bungalow that will be wedged into the site with very little space retained between the edge of the new building and the house at 1 Southern Road and to a slightly lesser degree the bungalow at 3 Southern Road. The lack of a visual space between the properties and the fact that the new dwelling (at a width of 6m) will be much narrower than either of the adjoining dwellings will make the new building appear very cramped within the site and at odds with the proportions and spatial characteristics of other dwellings within the locality. The Council's Quality Places SPD picks up this point stating *"a building does not exist in isolation and so the proportions of the structure should also consider those of the site and setting (page 45)"* A street scene has been included in the submission, but this does not appear to be representative of the actual site dimensions.

Furthermore, the chalet bungalow has been designed with a gabled roofline which does not reflect the fully hipped roofs of the detached bungalows and chalet bungalows that are present within the streets scene and thus added to its narrow frontage will make the proposed dwelling appear incongruous within the street scene.

For the reasons outlined above the proposal is considered to be contrary to Saved Policy 59.BE of the Eastleigh Borough Local Plan [2001-2011], Policy DM1 of the Eastleigh Borough Local Plan [2011-2029], The National Planning Policy Framework and The Council's Quality Places SPD.

Trees

Furthermore, the narrow site slopes very steeply down towards the junction with Western Road and as such substantial ground works will be required to level the site for the new property. These ground works have the potential to damage the roots of the protected Sweet Chestnut Tree, which compared to the canopy size are likely to encroach into the site by 7-8m. A tree impact study is included within the submission, but this also contains inaccuracies, fails to meet the minimum criteria stated in British Standard 5837:2012 and does not contain an arboricultural impact assessment. On this basis the proposal is considered to jeopardise the health and long term retention of the mature sweet chestnut tree, which adds to the verdant character of the locality. An objection has by raised by the Council's Tree Officer.

For the reasons outlined above the proposal is considered to be contrary to Saved Policy 59.BE of the Eastleigh Borough Local Plan [2001-2011] and Policy DM1 of the Eastleigh Borough Local Plan [2011-2029].

Other Considerations

- While the proposal just meets the council's minimum space standards in terms of internal floor area (Policy DM29) and garden size (Quality Places SPD) it is out of character with the prevailing development and therefore is not considered to be a developable plot.
- The proposal is just able to fit two off road car parking spaces within its frontage, in line

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

with Residential Parking Standards SPD. There is also sufficient car parking for the existing dwelling. The proposed dwelling is unlikely to create a significant level of additional traffic and no objection has been raised by the Transportation Officer. However, as the property's frontage is taken up with car parking this leaves very little space for any reasonable landscaping.

- The dwelling is positioned at the side of 1 and 3 Southern Road and is not considered to harm the residential amenity of the adjoining residential properties (in terms of outlook, overlooking or daylight). The main rooms in the neighbouring dwelling are dual aspect so that the proposal has less impact on their amenity. The development is also helped by the fact that 3 Southern Road is on higher land than the site making the proposed dwelling less obtrusive.
- Had the proposal been recommended for approval then HRA (Habitat Regulations Assessment) screening would have been carried out as the development falls inside the designated zone of impact.

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 refuse