MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/14/75471

DESCRIPTION	Construction of 2 bed detached dwelling with associated access, parking, bin & cycle storage.
ADDRESS	16 Hobb Lane Hedge End Southampton SO30 0GJ

SITE VISIT DATE	14 January 2015
ARE PLANS ACCURATE?	The ground floor window that will serve the WC within the new dwelling is omitted from the proposed eastern elevation. Notwithstanding this, however, 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 application seeks approval for the construction of a detached two-bedroom dwelling to the rear of No. 16 Hobb Lane. The property will be accessed from Sherborne Way utilizing an existing dropped kerb with a further access being created from this road to serve the existing dwelling (16 Hobb Lane).
SITE AREA	0.01317ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	Approximately 76 dwellings per hectare.
TOPOGRAPHY	The site slopes up from Sherborne Way to the southern boundary of the plot and to a lesser degree from the site's western boundary towards No. 16 Hobb Lane.
TREES	There are no trees on the application site that are within the vicinity of the proposed dwelling. There are, however, trees within the rear garden of No. 18 Hobb Lane which are within fairly close proximity to the shared boundary.
BOUNDARY TREATMENT	The existing rear garden of No. 16 Hobb Lane is surrounded by timber fencing on all sides with a timber gate to the existing vehicular access to the site from Sherborne Way.
SITE CHARACTERISTICS	The application site forms the rearmost part of the plot of No. 16 Hobb Lane, a single storey detached bungalow set in a prominent corner location at the junction with Sherborne Way. A proportion of the application site currently provides for off-road parking for No. 16 and contains a detached single garage adjacent to which is a pitched roof garden room with both structures to be removed as part of the proposals. The remainder of the site is currently laid to lawn as part of the private amenity area of the existing property.
CHARACTER OF LOCALITY	The site falls within an established residential area. To the immediate southern side of the site within Hobb Lane are single storey detached bungalows with there being semi-

THE SITE AND ITS SURROUNDINGS

	detached dwellings set on notably more modest sized plots to the west of the site which front onto Sherborne Way. On the opposing side of this road is a commercial premises, the site of which is currently the subject of a planning application for residential redevelopment.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
16 Hobb Lane, Hedge End		
F/05/53401	Single storey side extension	PERMIT – 06/04/2005
F/08/63029	Single storey rear extension with pitched roof over existing flat roof extension	PERMIT – 04/08/2008

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Hedge End Town Council	No objection.
Head of Planning Policy and Design (Sustainability Officer)	The applicant has mistakenly applied the 2006 Ecohomes assessment method for the pre-assessment estimate for this application. The requirement is clearly for Code 4 of 2010 Code for Sustainable Homes plus the other relevant requirements set out in the ESD SPD.
Head of Transportation and Engineering	The Council's Head of Transportation and Engineering raised no objection in principle noting that the proposed dwelling is acceptable, in regard to visibility, parking and general layout. They did, however, request that additional details were provided to confirm that 2 spaces could be provided for the existing dwelling. Conditions to require parking to be provided prior to occupation of the dwelling and thereafter retained for this purpose, as well as to require the submission of foul and surface water drainage details prior to commencement of development were also recommended.
Head of Countryside and Trees	I can confirm that there are no arboricultural concerns therefore I raise no objection.
Head of Environmental Health	The Council's Head of Environmental Health recommended the imposition of conditions for amenity protection reasons that restrict hours of work and the on-site burning of materials as well as require the submission of a scheme of works to deal with dust from the site prior to the commencement of development.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Within Environment Agency Flood Zone 2

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 (Energy and climate change), 43.ES (Flooding and erosion), 59.BE (Promoting good design), 100.T (Minimise travelling), 101.T (Infrastructure contributions), 104.T. (Parking), 147.OS (Public open space), 191.IN (Social infrastructure).
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, Policies DM1 (General Criteria for New Development), DM2 (Environmentally Sustainable Development), DM9 (Biodiversity), DM23 (General Development Criteria – Transport), DM24 (Parking), DM25 (Residential Development in Urban Areas), DM32 (Provision of Recreation and Open Space Facilities with New Development), DM37 (Funding Infrastructure).
Supplementary Planning Document: Quality Places
Supplementary Planning Document: Planning Obligations
Supplementary Planning Document: Environmentally Sustainable Development
Supplementary Planning Document: Residential Parking Standards

CHARACTER APPRAISAL AREA

Hedge End, West End and Botley Character Area:

The site falls within the area *HEWEB 30.* The Council's adopted character appraisal document sets out the following guidance principles for new development in this area:

- Retain the grass verges.
- Maintain the predominant plot widths and continuity in building line in each street.
- Maintain a uniformity in building heights within each street.

SPECIAL POLICY AREA

The site does not fall within a designated special policy area.

NATIONAL PLANNING POLICY GUIDANCE

In respect of this application, the following sections or paragraphs of the NPPF are considered to be of particular relevance:

- Paragraph 6 states that "the purpose of the planning system is to contribute to the achievement of sustainable development".
- Paragraph 14 sets out 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". The Framework sets out that for decision-taking this means "approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted."
- Paragraph 17 details the 12 core planning principles that should underpin decision-taking, these include 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".

NATIONAL PLANNING POLICY GUIDANCE

- Paragraph 32 states that decisions should take account of whether "safe and suitable access to the site can be achieved for all people" and Paragraph 35 states that developments should be located and designed where practical to "give priority to pedestrian and cycle movements, and have access to high quality public transport facilities."
- Paragraph 49 states that "housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites".
- Paragraph 53 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 states 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".
- Paragraphs 95 and 98 respectively require that local planning authorities "plan for new development in locations and ways which reduce greenhouse and gas emissions" and that they should, when determining planning applications, "recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions".
- Paragraph 215 sets out that, following the expiry of the 12-month transitional period (March 2013) from the date of the publication of the NPPF "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework".

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the principle of the development proposed, layout and design, residential amenity, highway matters, environmental sustainability, flood risk, and the impact of the proposals on the street scene and character of the area.

COMMENT ON CONSULTATION RESPONSES

	See below		Other – the comments made are noted and responded to where appropriate in the below assessment of the proposals.

COMMENT ON REPRESENTATIONS RECEIVED

No third party representations were received in relation to the application.

PLANNING OBLIGATION/CONSIDERATIONS

The ministerial statement of 28th November 2014 from The Minister of State for Housing and Planning and subsequent changes to the National Planning Practice Guidance (PPG) have increased the threshold for when tariff based planning obligations can be required by new development. This means that developments of ten units or less (and which have a maximum combined floor space of no more than 1000 square metres) will be exempt from the need to provide tariff based planning obligations or affordable housing. As such no contributions have been sought in respect of this application towards Sustainable Transport, Community Infrastructure or Public Open Space based upon the Council's adopted tariffs.

As the site does, however, fall within the 5.6km buffer zone for the Solent Special Protection Area

(SSPA), a contribution is sought towards the Solent Disturbance Mitigation Projection. This contribution of £172 per dwelling (subject to index linking) is required to mitigate the increased recreational pressure on the SSPA resulting from the development. The applicant has been informed of this contribution; however, no provision has been made for it. As the application is not being recommended for approval the matter has not been further pursued and will form an additional reason for refusal.

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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 where the basic principle of development is considered to be acceptable, with any formal planning approval being based upon the exact nature, design and impact of that proposed being considered appropriate and in accordance with the relevant Local Plan policies and supplementary planning documents and guidance.

Layout, design and impact of the proposals upon the area character:

Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011) and Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029 require 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 local planning authorities should "resist inappropriate development of residential gardens, for example where development would cause harm to the local area" (paragraph 53) and 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).

It is considered that the proposals fail to take account of their surrounding context and are therefore in conflict with these requirements, representing an inappropriate development of a residential garden which would be unacceptably sited, cramped in layout and harmful to the character of the area.

The application site is bordered by single storey detached development which fronts on to Hobb Lane to the immediate east and two-storey semi-detached housing along the southern side of Sherborne Way to the west. There is currently a distinct visual break between these residential development types within the Sherborne Way street scene which is afforded by the extent of the length of the garden of No. 16 Hobb Lane. The siting of the application dwelling in the location proposed would unduly diminish this sense of spacing and be in conflict with the prevailing pattern of development, resulting in an uncomfortable visual relationship between the two character types and an unacceptably cramped appearance to this section of the road. This is something that is accentuated by the inappropriate plot size and poorly conceived site layout of the development proposed as well as the incongruous nature and design of the dwelling itself, with each of these factors combining to result in a visually intrusive form of development that would appear eminently

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and unduly prominent within the street scene.

Dwellings in this part of the Sherborne Way are as noted above predominantly two-storey in nature, with them being of a simple form and design and having gable-ended pitched roofs. The property and in particular its roof which is of a somewhat unconventional mansard type form to the front, would be notably at odds with this prevailing character. Whilst it could somewhat tenuously be argued that the lowered ridge height seeks to provide for some form of visual transition or stepping up from the single-storey development in Hobb Lane, the effect of the design proposed is to only serve to heighten the visual prominence of the dwelling and its distinctly incongruous form and appearance relative to neighbouring development.

Residential amenity:

Saved Policy 59.BE (vii.) requires that development avoids unduly interfering, disturbing or conflicting with adjoining or nearby uses. It also requires the provision of an acceptable layout in this regard, with Paragraph 17 of the NPPF stipulating 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". The Council has in addition produced a Supplementary Planning Document, 'Quality Places', which provides detailed guidance on the matter of residential amenity to supplement Saved Policy 59.BE. The proposals are considered to be in conflict with these requirements in respect of the standard of residential amenity proposed for the new dwelling as well as by way of the adverse and unacceptable harm that would be caused both to the amenity the occupiers of the property whose plot the application site currently forms part of, No. 16 Hobb Lane, as well as to that of the occupiers of the neighbouring dwelling to the south, No. 18 Hobb Lane.

In respect of the living standards which would be provided for future occupiers of the new dwelling, whilst having reservations as to the sense of outlook that would be afforded from the kitchen window of the dwelling in particular, the most notable concern is in terms of the lack of provision of useable private amenity space. The Council's adopted Quality Places SPD (p. 29) states that "an important component of good quality residential design is the provision of useable outside private space where residents can take advantage of fresh air and direct access to the natural environment". This guidance sets out a requirement for the provision of an area equivalent to a minimum of 60% of the floor space of the dwelling. The development, however, provides for no obvious private amenity area to serve the property and as such fails to meet this requirement, something which further accentuates the inadequacy of the plot size and the cramped nature of the layout proposed which is referred to above.

In addition, it is considered that the development would result in unacceptable harm to the residential amenity of the existing and future occupiers of No. 16 Hobb Lane, the property whose plot the application site currently forms part of, as well as No. 18 Hobb Lane to its southern side. The proposals, partially as a result of the need for the provision of two replacement parking spaces within its remaining plot area, would significantly reduce the available private amenity space for No. 16, with the resulting area being particularly narrow in nature and poorly laid out. This when combined with the presence of a notably overbearing and visually oppressive two-storey building in the form of the dwelling proposed, which would almost abut the shared boundary and span the majority of its length, would unduly compromise its usability and adversely and unacceptably reduce the level of outlook from both it as well as No. 16's rear windows which would lie approximately just over 6m from the proposed structure, to the detriment of the residential amenity of the occupiers of this neighbouring property.

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With regards to the impact of the development upon the amenity of the occupiers of No. 18 Hobb Lane. Whilst suitable conditions could be imposed to require the rear facing roof lights to be obscure glazed and to restrict the manner in which they are openable such as to prevent any unacceptable overlooking and due to the siting of the dwelling to the north / north-west of No. 18 no undue loss of light would occur, it is considered that the two-storey height of the building and its proximity to the shared boundary with No. 18 would result in a development that would be visually overbearing in nature to the occupiers of this neighbouring dwelling, adversely affecting the outlook from their rear garden to the detriment of their residential amenity.

Highway matters:

The main highway issues for consideration concern whether a satisfactory means of access and layout for vehicles can be achieved for both the proposed and the existing development and a sufficient level of on-site vehicular parking be provided in accordance with the requirements of Saved Policy 59.BE (v.) and the Council's adopted Residential Parking Standards SPD.

The proposed development of the rear section of the plot of No. 16 Hobb Lane will result in the loss of the existing on-site parking for this property which is currently provided by way of a hardstanding and detached single garage. As such, there is a need for 2 further replacement spaces to be provided for the existing dwelling in addition to a required 2 spaces for the new property.

The Council's Head of Transportation and Engineering has been consulted as part of the application process and has raised no objection to the accesses proposed to serve each of these two dwellings. In addition, they have stated that the parking proposed for the new property is satisfactory with the hardstanding being shown on the submitted layout drawing being capable of accommodating two vehicles. In terms of the replacement parking for No. 16, this is proposed to be provided adjacent to what will be its re-sited rear boundary. In response to the comments of the Council's Head of Transportation and Engineering in this regard, whilst it is considered that two spaces could be created for No. 16 in this position such that the application could not reasonably be refused on parking grounds, as set out above doing so would only further serve to unacceptably reduce and compromise the usability of the private amenity space available for its occupiers.

Bin and cycle storage:

The proposals, as shown on the submitted layout drawing, include measures for the provision of facilities for the storage of domestic waste and recyclable materials and as such there is deemed to be no conflict with Saved Policy 28.ES of the adopted Local Plan in this respect. An area for secure cycle storage is also to be provided which would accord with the Council's adopted Residential Parking Standards SPD. Had the application been recommended for approval, a condition would have been imposed to require the provision of these storage facilities prior to the occupation of the development.

Environmentally sustainable development:

Saved Policy 34.ES of the adopted Local Plan states that planning permission will only be granted for proposals which make an appropriate contribution towards the Government's target to reduce levels of carbon dioxide and other greenhouse gases through the utilizing of sustainable construction materials and methods, minimising energy demands associated with the occupation of the development, and maximising the proportion of energy that is generated from renewable resources. In this regard, the Council's Environmentally Sustainable Development Supplementary

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Planning Document (SPD) stipulates a requirement that all new residential development must meet Level 4 of the Code for Sustainable Homes and also incorporate a number of 'Essential Requirements' (ESD1-8) designed to maximise energy and water-saving measures.

As noted by the Council's Sustainability Officer, the submitted documentation which accompanies the application refers to the EcoHomes 2006 assessment and not the Code for Sustainable Homes, there is also no reference to the aforementioned 'Essential Requirements'. As such, the application is considered to fail to comply with the provisions of Saved Policy 34.ES and the Council's adopted Supplementary Planning Document on Environmentally Sustainable Development and this will therefore form a further reason for the refusal of the planning application.

Flood risk:

The site of the new dwelling lies within the Environment Agency's designated Flood Zone 2. Saved Policy 43.ES states that development will only be permitted in areas at risk of flooding where it is demonstrated that the site is adequately defended from flooding, or it is demonstrated that measures will be incorporated into the scheme that would prevent either life being endangered or an unacceptable likelihood of damage to property.

The application is accompanied by a Flood Risk Assessment which has been reviewed in light of the Environment Agency's Flood Risk Standing Advice (FRSA) for development of this nature which falls within Flood Zone 2 (More vulnerable development up to 1ha in size in Flood Zone 2). Whilst the document submitted is notably brief, its content does meet the most basic requirements of Table 1.0 of the aforementioned standing advice. On this basis, it is considered that the application accords with the provisions of Saved Policy 43.ES of the adopted Local Plan in respect of the matter of flood risk.

Conclusion:

Overall for the reasons as set out above the development is considered to conflict with the relevant development plan policies, associated supplementary planning documents and guidance, and national planning policy.

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

It is recommended that planning permission be refused.