PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Construction of 1no. detached dwelling with raised rear patio, following demolition of existing 1 bed dwelling Holmes Manor Moorhill Road West End Southampton SO30 3AY

SITE VISIT - Yes

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Construction of 1no. four bed house to replace existing one bed dwelling (secured under a certificate of lawfulness). The replacement dwelling is in a similar position to the current building and will retain the large gravel parking area at the front and garden to the rear. The dwelling is a two storey mock tutor house with front to rear gable end and central entrance feature. The house has a floor area of 250m2, split over two levels and is a maximum ridge height of 7.9m. At the rear of the house is a patio covering 60m2 and is raised 1.6m off the ground and enclosed by a glass screen.
SITE AREA	190m2
RESIDENTIAL DEVELOPMENT DENSITY	52 dwellings per hectare
TOPOGRAPHY	Downwards slope from front to rear of site. This is gentle at the front and becomes steeper towards the rear.
TREES	Various mature trees around the front parking area (covered by group and blanket TPO's). There is a further line of mature trees and vegetation along the rear boundary of the site with the adjacent golf course.
BOUNDARY TREATMENT	Predominantly, 1.8m high close boarded fencing runs around plot, with lower fencing at rear. There is a long stretch of high fir hedging along the boundary between the site and the dwelling at Thorney Down bungalow. There is a small gap in the hedge where the current building comes closest to the boundary.
SITE CHARACTERISTICS	The site consists of a detached two storey outbuilding with a double garage at the bottom and a one bed flat above. The building is set in a good sized plot with parking area to the front and garden to the rear. The building was originally constructed as a garage and annex to the main house, but has been sectioned off as a separate plot.
CHARACTER OF LOCALITY	The site is positioned in the middle of two dwellings forming a small row of three solitary dwelling located within an area of countryside to the east of Moorhill Road.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/15/76913	Construction of 1no. detached 5 bed dwelling with raised rear patio, following demolition of existing 1 bed dwelling	Refused September 2016
U/13/73760	Certificate of lawful use to allow occupation of annexe as self-contained residential unit	Certificate Issued April 2014
Z/28224/002	First floor side extension and provision of first floor accommodation with dormer windows and external staircase above existing garage.	Permit May 2001

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Transport & Engineering	No objection Adequate space is afforded for vehicle parking, and the access to be utilised is an existing one with good visibility and without reported incident. As a replacement dwelling it would be anticipated that the drainage connections would already be established and require a simple reconfigured connection. However condition D03 should be applied.
Environmental Health	No objection, recommend conditioning hours of work and no burning.
Ecology	I note that an Extended Phase 1 Survey and a Phase 1 and 2 bat surveys have been undertaken and meet best practice. Bats In relation to bats nothing was seen to emerge from the dwelling to be demolished and foraging was low. Therefore in relation to bat species no further action is required. Reptiles In the case of reptiles, although habitat has been identified in the form of debris piles, scrub and long grassland, no targeted reptile surveys have been undertaken. The surveyor's justification for the lack of survey is as follows:- Reptiles are widespread in habitats that provide both cover, in the form of scrub or tall vegetation, and basking areas such as areas of hardstanding or short grassland communities. Piles of debris or rubble also provide excellent cover and hibernation sites for reptiles. Effective survey for reptiles is time-consuming and labour intensive involving the use of artificial refuges (usually roofing felt or

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	carpet tiles) which attract individuals. Suitable habitat for reptiles was therefore identified during this survey and recommendations for targeted survey made where appropriate. Reptiles are protected from harm within schedule 5 of the Wildlife and Countryside Act 1981. As with any other protected species, Eastleigh Borough Council has a duty to protect reptiles from the short medium and long term impacts of development. To provide appropriate mitigation for any habitat lost we need to understand the size of the population on site and the species using the habitat. It is not sufficient to say that effective survey is time consuming and labour intensive and therefore should not be carried out, conversely to obtain this information required to protect reptiles, a full survey is required. I am also concerned regarding the lack of mitigation provided for the possible reptile population. Despite the loss of debris piles, scrub and long grass habitat, no space has been conserved within the garden to accommodate the reptile's needs. The plan is to exclude them leading to a net loss of habitat. It is too late in the season to undertake this survey now as the temperature in the mornings is now well below $10^{o}C$, the temperature at which reptiles are active, and it is certainly too late to think about translocating or displacing the population. As reptiles are protected from harm I am willing to condition a survey and appropriate mitigation, however no habitat disturbance or work can be undertaken on site until a survey has been undertaken and a mitigation strategy prepared. I recommend the following condition is attached to any permission granted. No work shall commence until a reptile survey following the Standing Advice issued by Natural England is undertaken. Depending on the results a reptile translocation/ exclusion mitigation and management plan shall be submitted to and agreed by the Local Authority. Reason: To ensure no harm to reptiles likely to be present on site.
Trees	No objection - Following our site visit I can confirm the following condition is required: No development shall start until: a) A plan has been submitted to the Local Planning Authority showing a line of protective fencing around the two trees afforded Tree Preservation Order protection. The fencing shall be in accordance with the appropriate British Standard, BS5837:2012 Trees in Relation to design, demolition and construction. Reason - To retain and protect the existing trees which form an important part of the amenity of the locality. b) A site meeting has taken place where a representative from the Local

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	Planning Authority has inspected and approved the fencing. Once approved no access by vehicles, storage or use of machinery, equipment or materials shall take place within the fenced area. The fencing shall be retained in its approved form for the duration of the work. Reason - To retain and protect the existing trees which form an important part of the amenity of the locality.
Sustainability	No objection Post Botley Road Appeal we are reduced to only asking for the following condition to be attached to residential development : a) Prior to the occupation of any building within each individual phase of the development (or, in accordance with a timetable to be agreed in writing with the Local Planning Authority), as built stage SAP data and as built stage water calculator confirming energy efficiency and the predicted internal mains water consumption to achieve the following shall be submitted to and approved in writing by the Local Planning Authority: • In respect of energy efficiency, a standard of a 19% improvement of dwelling emission rate over the target emission rate as set in the 2013 Building Regulations • In respect of water consumption, a maximum predicted internal mains water consumption of 105 litres/person/day. The development shall not be carried out otherwise than in accordance with the approved details. Reason: To support a comprehensive approach to high quality design across the site; in line with the guidance set out in the Government's Ministerial Statement of 25 March 2015 which states that Local Planning Authorities should, from the date of its publication, take into account the government's intentions in the statement "and not set conditions with requirements above a Code level 4 equivalent". They had done a pre-assessment estimate for Code 4, but we cannot force them to do assessment any more
West End Parish Council	No objection

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary - Countryside Within Strategic Gap

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

Eastleigh Borough Local Plan Review (2001-2011): 1.CO (Countryside), 2.CO (Strategic Gap), 8.CO (Replacement Dwellings in the Countryside), 25 NC (Nature Conservation), 28.ES (Waste Collection/Recycling), 37.ES (Sustainability), 59.BE (General Development) & 104.T. (Parking).

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014: DM1, DM2, DM5, DM9, DM23, DM24, DM26, DM29 & S9 (the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and

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

- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014'

Supplementary Planning Document: Quality Places, Biodiversity & Residential Parking Standards

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed.

COMMENT ON CONSULTATION RESPONSES

Transport and Engineering - It is not considered necessary to apply a drainage condition for a single dwelling as this is covered as part of the building control application. The site is not in a sensitive location and will retain a large grassed area which will slow down any surface water runoff.

Trees – a plan has been submitted showing the position of the herras fencing (proposed site plan PL/03 RevB). Therefore only the second condition needs to be imposed regarding the site meeting.

All other comments are noted and will be considered in the assessment section.

COMMENT ON REPRESENTATIONS RECEIVED

N/A

PLANNING OBLIGATION/CONSIDERATIONS

Not applicable as the proposal is for a replacement dwelling.

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

Policy 2.CO - Planning permission will not be granted for development which would physically or visually diminish a strategic gap as identified on the proposals map.

Policy 8.CO - The replacement of an existing dwelling in the countryside which enjoys a lawful residential use will be permitted, provided all the following criteria are met:

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

(i) the existing dwelling is not the result of a temporary permission;

(ii) the proposed dwelling: is of an appropriate design which reflects its countryside location; would not be disproportionate in size to neighbouring properties or disproportionate in relation to its plot; does not have a greater impact physically or visually on the character and appearance of its immediate surroundings, or on the countryside in general, than the existing dwelling

(iii) the proposal includes the demolition of the dwelling to be replaced; and

(iv) no additional units of accommodation are created.

Policy 25.NC **-** Development which will adversely affect a habitat or feature of importance for wild fauna and flora will not be permitted unless it can be demonstrated to the satisfaction of the LPA that:
(i) the benefits of the development outweigh the adverse impacts;
(ii) the adverse impacts are unavoidable, and
(iii) appropriate measures are taken which would mitigate or compensate for any adverse impact.

Policy 59.BE 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, 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.

Policies 28.ES & 37.ES & 104.T - require development to make provision for rubbish collection; maximise energy efficiency and reduce water consumption; and provide sufficient off road car parking.

ASSESSMENT

Proposal

The proposal is a resubmission of a previously refused scheme for a five bed detached house to replace an existing property. The proposal differs from the previous scheme in that the size of the house has been reduced to four bedrooms (from 340m2 to 250m2 floor area) and the roofline dropped so that the properties ridge height sits between that of the two adjoining houses. The proposal has also been handed so that the gable end is further away from Thorneydown Bungalow and steps introduced for the rear balcony. The proposal is now supported by an ecological appraisal and phase 1 & 2 bat survey.

Principle

The site is located in an area of countryside and is not particularly sustainable being separated from the nearest settlement of Thornhill by the A27 carriageway. There are no footways along or nearby safe route across this section of the busy A road and so the new residents would not be able to easily access the local facilities and amenities. As such a new dwelling in a countryside/ unsustainable location would not usually be permitted (as set down within Policy 1.CO of the

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Eastleigh Local Plan and to some extent within the National Planning Policy Framework).

However, in this case the proposal would replace an established dwelling (which was secured as part of a certificate of lawfulness). Policy 8.CO makes provision for replacement dwellings in the countryside, providing the existing dwelling is not the result of a temporary permission and no additional units of accommodation are created. The proposal accords with this provision and as such the principle of the replacement dwelling is considered acceptable subject to consideration of the detailed matters.

It is also noted that the site is located within the strategic gap, which is protected by Policy 2.CO. However, as this is a replacement dwelling and bearing in mind the position of the site (sitting between two existing houses and with a large open golf course to the rear) then the proposal is not considered to physically or visually diminish the strategic gap to an unacceptable degree.

Character and Appearance

Currently nestled within the site sits a small two storey building, which reads as an annexe/ outbuilding and is subservient in scale to the main house at South Lodge. The building is legally able to function as an independent dwelling although its size means that the living space is very restricted. As such I consider that there is scope to either extend the current building or to replace it with a reasonable sized dwelling.

The applicant has chosen to replace the existing building. While the proposal still represents a large detached two storey house, its massing is in proportion with the size of the neighbouring dwellings and it is set in a spacious plot. The design of the property is acceptable with bay and gable features to add interest and mock tudor detailing, which reflects the detailing present on the existing annex and neighbouring buildings. The property sits next to the two adjoining houses and is sited around 45m back from the edge of the highway. At this point the ground drops away making the house sit lower within the site and with the deep set back, trees at the front and good boundary screening the replacement dwelling will not be overly noticeable from Moorgreen Road or from the surrounding countryside.

Amount of Development and Layout

The proposed four bed house and its generous plot easily meets the minimum floor space standards (set out within Policy DM29) and plot size (set out within Quality Place SPD). The proposal is laid out with a parking area at the front and garden to the rear.

The car parking area is already in use and is large enough to accommodate three car parking spaces (as set out within Residential Parking Standards SPD). It is also of a sufficient size to allow turning room so vehicles can enter and exit the site in a forward gear onto the busy Moorgreen Road. The access to be utilised is an existing one with good visibility and without reported incident. As such no objection has been raised by the Transportation Team.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Residential Amenity

The house is set a reasonable distance in from its boundaries and there is a row of tall evergreen hedging separating the site from its nearest neighbour (Thorneydown Bungalow). The proposed dwelling has been handed so that the longest gable element is now away from this neighbour and as such the proposed dwelling is not considered to be visually obtrusive or unacceptably reduce daylight from the neighbouring properties. It is noted that there are some rear windows in South Lodge that look towards the proposed house, but having spoken to the applicant the nearest windows appear to be dual aspect or secondary rooms rather than the only windows to key living areas.

In terms of overlooking, the proposed house will introduce only two first floor side windows facing towards South Lodge. These windows serve bathrooms that are not primary habitable rooms and a condition will be imposed to ensure that they are obscure glazed. The proposal also includes a rear terraced area, which now includes steps down to a lower section at the back so it is less imposing. The terrace is next to a long row of dense fir trees in the garden of Thorneydown Bungalow which will prevent unacceptable levels of overlooking into the neighbours garden. There will be no significant overlooking into the rear of South Lodge as this property has a large balcony area with high fencing.

Overall, the proposal is not considered to have an unacceptable impact on neighbouring dwellings by way of a loss of light, outlook or overlooking.

Other Issues

- There are a number of TPO trees at the front of the site. No objection has been raised by the Council's Tree Officer, subject to conditions protecting the trees from the effects of the building works.
- The proposal is supported by an ecological survey, which has been reviewed by the Council's Ecology Officer and no objection has been raised. No further action is required in relation to bat species and a pre-commencement condition will be used to deal with reptiles.
- The proposal is for a replacement dwelling and is not considered to result in a likely significant impact on a European Protected site (SPA,SAC or Ramsar). HRA (Habitat Regulations Assessment) screening was not required for this development even though it falls inside the designated zone of impact.
- The site falls inside the 5.6kn buffer zone for the Solent SPA. A contribution of £172 per dwelling is required to mitigate the increased recreational pressure resulting from the development.

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

Recommend Permit