REF. NO. «AltRef»

PLANNING APPLICATION REPORT

DESCRIPTION	Erection of 1no. 3 bed dwelling with associated bin, cycle, storage and parking
ADDRESS	48 St Margarets Road, Bishopstoke, Eastleigh, SO50 6DG

SITE VISIT DATE - 10/2/2015 and site notice posted

ARE PLANS ACCURATE? – yes, amended plans were sought following a discrepancy with the drawing scale on two plans, where there is still a discrepancy

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	• The application is proposing the erection of one, three bedroom dwelling with associated bin, cycle, storage and parking
SITE AREA	• 215m2
RESIDENTIAL DEVELOPMENT DENSITY (NET)	• 46.5
TOPOGRAPHY	• Slight incline on approaching from front elevation • The site sits lower than number 46 which is to the east
TREES	• There are two trees on site which are not protected
BOUNDARY TREATMENT	• The boundary treatment consists of an approximate 1.8 metre tall fence on the boundary with number 46 • There is a fence which is just over 1 metre in height which separate the land and number 46
SITE CHARACTERISTICS	• The application site is part of the side garden of number 48 which has been sectioned off • Number 48 is a two storey detached dwelling • There is a double garage at the rear

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THE SITE AND ITS SURROUNDINGS

CHARACTER OF LOCALITY	• St Margarets Road contains a cluster of terraced properties which are dispersed along the road • There are a number of bungalows nearer the application site which are considerably set back from the highway • There is a semi-rural feel which is evident owing to space amongst the houses

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
40 St Margarets Road	Loss of parking at number 48
45 St Margarets Road	The lower end of St Margarets Road where the development is proposed is not suitable for further house building. It is already relatively dense. Parking issues, parking issues with proposed build, The plans do not appear to address the electricity power supply pole in front of the proposed development.
46 St Margarets Road	My house number is wrong on the plans, house will not respond to the character of number 40-46, visually intrusive, will allow less light to my property, area is not large enough to allow for a detached house, off road parking for number 48 will be diminished, loss of view, consideration will need to be given to construction vehicles
49 St Margarets Rd	This development cannot be implemented unless the considerable benefits of off Road Parking are removed from property No 48. A far from unusual occurrence is for the Waste / Salvage collection & other Trade Vehicles being unable to "turn around " & thus forced to Reverse up the Road .Which is both hazardous & time consuming for the drivers.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Bishopstoke Parish Council	Object, – the proposal is considered ill-conceived, narrow design considered out of keeping with the area, loss of parking by others and serious rerouting of above ground services required.
Biodiversity	I have no objection to this application. The site lies within 200m of the River Itchen SSSI/SAC and has

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	triggered HRA screening. The site is located within domestic garden and well away from the River and associated habitats. There is unlikely to be any significant effects on the River Itchen SAC either within construction or operational phases of development.
Head of Transportation and Engineering	Holding objection, In regard to vehicle parking, whilst 2 on-site parking spaces are proposed in accordance to the EBC Parking Standards, it is at the expense of the parking for the existing dwelling which appears from plans to have no on-site parking as a result of development. This would not be acceptable as it would likely result in obstructive parking, either on footways or in the turning head. Revised plans are required showing the on-site parking for the existing dwelling as well, and these should be shown on revised plans. In regard to cycle parking, this is also required, through a shed like structure in the rear garden measuring no less than 2.0 x 1.0m. SITE ACCESS /LAYOUT: There are no changes to access or layout and in conjunction with the location, access, visibility and refuse collection arrangements are all acceptable. Details needed of access /parking for existing dwelling and where the substantial electricity pole and cable stay on site frontage will be relocated, which impedes access to proposed parking areas at present.
Head of Housing and Environmental Health	No objection, attach conditions to protect neighbours amenity.
Head of Countryside and Trees	I can confirm that I have no arboricultural concerns therefore raise no objection.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Within HRA Screening Area 200m of the River Itchen SSSI/SAC BIFOHH 8 Supplementary Planning Document: Bishopstoke, Fair Oak and Horton Heath Character Area Appraisals (2008)

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

Eastleigh Borough Local Plan Review (2001-2011), saved policies 28.ES (Waste

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

Collection and Recycling), 34.ES (Energy and Climate Change), 59.BE (Detailed Design), 100.T (Transport and New Development), 104.T (Parking)

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, DM1(Design), DM2 (Environmentally Sustainable Development), DM9 (Nature Conservation) DM24 (parking provision), DM23 (General development criteria – transport) DM25 (Residential Development in Urban Areas),
(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 Document: Quality Places (2011)
Supplementary Planning Document: Residential Parking Standards (2009)
Supplementary Planning Document: Environmentally Sustainable Development (2009)
Supplementary Planning Document: Bishopstoke, Fair Oak and Horton Heath Character Area Appraisals (2008)

NATIONAL PLANNING POLICY GUIDANCE

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."

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." 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."

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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 that proposed, its layout and design, impact upon the street scene and character of the area, the residential amenity of neighbouring properties and future occupiers, parking and highway safety, environmental sustainability and nature conservation.

COMMENT ON CONSULTATION RESPONSES

These will be addressed in the report.

COMMENT ON REPRESENTATIONS RECEIVED

These will be addressed in the report.

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 (NPPG) has 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. This proposal falls within this reduced threshold meaning that planning obligations towards community infrastructure, public open space and sustainable transport works are not requested.

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."

Principle

The main part of the application site which is to be developed lies within the urban edge where the basic principle of development is considered to be acceptable. 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

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 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).

The proposal is intending to use the side garden of number 48 which has been separated with a fence to create a building plot. The streetscene plan shows the proposed dwelling to sit comfortably within the plot; however two site visits found there to be concerns with the plot, as well as discrepancy with the plans.

Amended plans were sought as there appeared to be an anomaly with the scale. Having assessed the proposed site layout with a GIS plan there still appears to be a discrepancy with the application site. Measurements taken from the submitted site layout plan shows that the plot is 6.5 metres in width, whereas the GIS plan shows the site is 5.5 metres in width.

Whilst the application site has been formed into a building plot, the practicality of using the plot for development for the intended use is not considered appropriate. The depth of the garden however generous does not negate the narrowness of the site which has been further highlighted by the discrepancy in site measurement.

The dwellings on St Margarets Road are a mix and include bungalows and two storey dwellings, where the houses maintain an element of space in between, where there are terraces, these contain clusters of four houses where a generous level of space is still maintained to the next property. 48 St Margarets Road is set in a larger plot than neighbouring properties, with the severed part providing for a degree of space and openess. Numbers 40-46 are a cluster of terraces with small front gardens which have soft landscaping. The houses have been designed with bay windows at ground floor, recessed front doors and hipped roofs. These elements are considered to contribute positively to the character of this section of St Margarets Road, where there is a semi-rural feel.

A neighbour has commented that the lower end of St Margarets Road where the development is proposed is not suitable for further house building, it is already relatively dense. Further to which, Bishopstoke Parish Council have objected to the proposal as it is considered ill-conceived, and the narrow design is considered out of keeping with the area.

The proposed dwelling has been designed with a gable end roof which by its nature is a prominent roof profile. The introduction of a gable end roof to this section of St Margarets Road, would go against the prevailing character and would result in visual prominence of the proposed development which would be heightened by the two off road parking spaces to the frontage, which would result in an unattractive feature go against the character of

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

the existing residential properties within this section of St Margarets Road.

The proposed dwelling would result in a dwelling which would appear cramped and constrained, this is further heightened owing to the discrepancy of the submitted plans. As well as the impact upon the street scene, the introduction of a dwelling would go against the prevailing pattern of development within St Margarets Road, and would result in diminished space between the buildings.

Highways

The Residential Parking Standards SPD requires two off road spaces to be provided. The proposed layout shows two parking spaces for the proposed dwelling and as such the development will meet the parking standards in that respect. A holding objection was received from the Head of Transportation and Engineering whom have commented that, whilst 2 on-site parking spaces are proposed in accordance to the EBC Parking Standards, it is at the expense of the parking for the existing dwelling which appears from plans to have no on-site parking as a result of development. This would not be acceptable as it would likely result in obstructive parking, either on footways or in the turning head.

Objections were raised by neighbours with regards to parking and these are acknowledged as being important, especially the diminishment of number 48's parking which would result in on street parking which owing to the hammer head would result in obstructive parking to residents and waste collection vehicles.

Amended plans were not sought, as there are concerns with the proposal and it is easy to see that number 48 would not be able to accommodate the required parking, which was further reinforced by the site visits.

Residential Amenity

The occupier of number 46 has commented that the proposal will allow for less light to their property. The application of the 45 degree code has demonstrated that there would be no undue harm to the outlook of this neighbour.

No windows are proposed in the flank elevation, so there would be no overlooking into the habitable rooms of number 46 and 48.

Nature Conservation

The Biodiversity officer has raised no concerns to the proposal stating that, the site lies within 200m of the River Itchen SSSI/SAC and has triggered HRA screening. The site is located within domestic garden and well away from the river and associated habitats. There is unlikely to be any significant effects on the River Itchen SAC either within construction or operational phases of development.

The proposal is not considered to result in a likely significant impact on a European Protected

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

site (SPA,SAC or Ramsar). The application falls within the 200m SAC buffer but due to its scale (single dwelling) and its location, which results in there being no clear pathways between the application site and the River Itchen, the proposal has been screened out and is not considered to require formal HRA.

The site falls outside the 5.6km buffer zone for the Solent SPA. A contribution of £170 per dwelling is therefore not required to mitigate the increased recreational pressure resulting from the development.

Trees
Head of Countryside and Trees have raised no objection to the proposal.

Environmental Health
Head of Housing and Environmental Health have raised no objection to the proposal.

Environmentally Sustainable Development
The Council's 'Environmentally Sustainable Development' SPD requires all new residential development to meet a particular level of the Code for Sustainable Homes assessment. In this instance code level 4 is required and a pre-assessment estimator report has not been submitted with the application. The design and access statement states that the proposed dwelling would meet Code Level 3, owing to lack of information the proposal is therefore contrary to the Environmentally Sustainable Development' SPD 2009.

Refuse and Cycle Storage
The Head of Transportation and Engineering has stated that there are no changes to access or layout and in conjunction with the location, access, visibility and refuse collection arrangements are all acceptable.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the 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 dwelling by reason of its design and overall appearance would represent an inappropriate development of a residential garden and introduce a prominent and visually intrusive form of development to the locality, to the detriment of the existing character and appearance of the area as well as the street scene within this section of St Margarets Road. The proposal is therefore considered to be contrary to saved policy 59.BE Eastleigh Borough Local Plan Review (2001-2011), policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029, Supplementary Planning Document: Quality Places (2011).

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CONCLUSIONS

(2) The proposed development owing to the severance of the land would result in no on-site parking for 48 St Margarets Road, which would result in parking on the highway. Owing to the close proximity to the application site of the hammer head, on road parking would result in unnecessary hazards and increased highway safety concerns. The proposed development is therefore considered to be contrary to saved policies 59.BE, 100.T, 104.T of the Eastleigh Borough Local Plan Review (2001-2011), policies DM23 & DM24 of the Submitted Eastleigh Borough Local Plan 2011 - 2029, (July 2014), Supplementary Planning Document 'Residential Parking Standards' (2009).

(3) No information has been submitted to allow the local planning authority to make a full and proper assessment of the proposal in respect to the requirements of the Environmentally Sustainable Development' SPD (2009). The pre-assessment estimator report has not been submitted with the application. The proposed development is therefore considered to be contrary to saved policy 34.ES (Energy and Climate Change), Eastleigh Borough Local Plan Review (2001-2011), Environmentally Sustainable Development' SPD (2009).