EASTLEIGH BOROUGH COUNCIL

Civic Offices, Leigh Road,
Eastleigh SO50 9YN

12 November 2013

NOTICE OF MEETING

CHANDLER'S FORD AND HILTINGBURY LOCAL AREA COMMITTEE

will meet on
Wednesday, 20 November 2013
beginning at
7:00 pm
in the
The Dovetail Centre, Methodist Church,
Winchester Road, Chandler's Ford, SO53 2GJ

TO: Councillor Mrs Pamela Holden-Brown (Chair)
Councillor Alan Broadhurst (Vice-Chair)
Councillor Mrs Haulwen Broadhurst
Councillor Judith Grajewski
Councillor Godfrey G Olson
Councillor John L Caldwell
Councillor Michael Hughes
Councillor David Pragnell

Staff Contacts: Karin James, Democratic Services Officer
Tel:023 8068 8113;Email: karin.james@eastleigh.gov.uk
Andy Milner, Area Co-ordinator Tel: 023 8068 8438;
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RICHARD WARD
Head of Legal and Democratic Services

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Members of the public are invited to speak on general items at the start of the meeting, and on individual agenda items at the time the item is discussed. To register please contact the Democratic Services Officer above.
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AGENDA

1. Minutes (Pages 1 - 2)

   To consider the Minutes of the meeting held on 11 September 2013.

2. Apologies

3. Declarations of Interest

   Members are invited to declare interests in relation to items of business on the agenda. Any interests declared will be recorded in the Minutes.

4. Public Participation

5. Chairman's report

6. Area Co-ordinator's Report

7. Presentation on Planning Guidelines

8. Planning Application - Hiltingbury Motors, 72 Hiltingbury Road, Chandler's Ford (Pages 3 - 14)

   (Ref: F/13/72507) - Change of use from car showroom and office to café/restaurant (A3) on ground floor and residential flat above.

9. Planning application - 19 Wychwood Grove, Chandler's Ford (Pages 15 - 22)

   (Ref: -F/13/72816) - Single storey front extension and addition of pitched roofs to existing side and rear extensions.

10. Planning appication - Cheriton, 90 Lakewood Road, Chandler's Ford (Pages 23 - 32)

    (Ref. F/13/72924)- Erection of 0.5m high boundary wall with 1m high railings on top following removal of existing hedge.

11. Planning application - Land to rear of 35 Shaftesbury Avenue, Chandler's Ford (Pages 33 - 46)

    (Ref. F/13/73056) Erection of 1 pair of semi-detached dwellings, 1no. 3 bed & 1no. 4 bed, with associated parking.

12. Planning application - 127 Kingsway, Chandler's Ford (Pages 47 - 62)

    (Ref. F/13/73086) - Construction of 1No. 5-bed and 1no. 4-bed detached dwellings with associated access, parking, cycle and bin storage and landscaping following demolition of existing dwelling.

13. Planning Appeals

The Head of Legal and Democratic Services to report:-

(a) that the following appeals have been lodged:-

58B Winchester Road, Chandler's Ford - Appeal against refusal of planning application for reduction of branches overhanging fence by 2m and remove 1 low branch from 1 no. oak. (Ref: T/13/73065) (previously delegated decision)

1 Oakmount Avenue, Chandler's Ford - Appeal against refusal of planning application for one and two storey side extensions, two storey rear extension and single storey front extension (Ref: F/13/72696 (amended design to F/12/71763)). (Previously delegated decision).

1 Park Road, Chandler's Ford – appeal against refusal for permission to fell 4no birch trees. (Ref: T/13/72839). (Previously delegated decision).

9 Malcolm Road, Chandler's Ford – appeal against refusal to grant permission for Appeal against refusal of planning application for front extension, extension to existing side dormer and addition of new side dormer (amended design). (Ref: F/13/72511). (Previously delegated decision).

(b) that the following appeals have been allowed:-

1 Oakmount Avenue, Chandler's Ford – appeal against refusal to grant permission for internal and external alterations (Ref: F/13/72350). (Previously delegated decision).

14. Fees and Charges (Pages 63 - 66)

15. Allocation of Developers Contributions (Pages 67 - 76)

DATE OF NEXT MEETING
Wednesday, 22 January 2014 at 7:00 pm
at The Dovetail Centre, Methodist Church,
Winchester Road, Chandler's Ford, SO53 2GJ

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CHANDLER'S FORD AND HILTINGBURY LOCAL AREA COMMITTEE

Wednesday, 11 September 2013 (7:00 pm – 8:26 pm)

PRESENT:

Councillor A Broadhurst (Vice Chair in the Chair); Councillors Mrs Broadhurst, Caldwell, Grajewski, M Hughes, Olson and Pragnell

Apologies for absence were received from Councillor Mrs Holden-Brown

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RESOLVED ITEMS (SUBJECT TO QUESTIONS ONLY)

1. MINUTES

RESOLVED -

That the Minutes of the meeting held on 5 June 2013 be confirmed and signed by the Chair as a correct record.

2. DECLARATIONS OF INTEREST

Councillor Caldwell declared an interest in agenda item 9 as he is a close neighbour of the application site.

3. PUBLIC PARTICIPATION

None on this occasion.

4. CHAIRMAN'S REPORT

Councillor Alan Broadhurst (Vice Chair) took the Chair and advised those present that the Chair Councillor Pam Holden-Brown had sent apologies as she was recovering from surgery. The Committee wished her a speedy recovery.

5. AREA CO-ORDINATOR'S REPORT

The Area Co-ordinator provided those present with a copy of this month's issue of Chandler's Ford News and drew attention to the articles on the 10th anniversary of the re-opening of Chandler's Ford Railway station, and the Chandler's Ford Joint Charities 40th Christmas Market.

The Three Rivers Community Rail Partnership would be holding a 10th anniversary celebration event on Sunday 13 October from 1pm to 4pm at the Station.

There would be a Chandler's Ford Joint Charities Christmas Market at the Dovetail Centre on Saturday 9 November at 9.30am to 12 noon.

6. PRESENTATION ON PLANNING GUIDELINES

Development Control staff gave a short presentation on guidelines that had to be taken into account when determining planning applications; in particular the issues that could, and could not, be taken into account. This was set against the broader policy framework.

7. PLANNING APPLICATION - CHERITON, 90 LAKEWOOD ROAD, CHANDLER'S FORD

The Committee considered the report of the Head of Development Control (Agenda item 8) concerning an application for the erection of a 0.5m high boundary wall with 1m high railings on top following removal of the existing hedge. (Ref: F/13/7294).

The Committee was advised that one further email in support had been received from a neighbour.

RESOLVED -

That permission be DEFERRED to a future meeting to give opportunity for further discussion to find a mutually agreeable scheme.

(NOTE: The applicant spoke in support of the application, stressing the amount of negotiation that had been undertaken between themselves and the Development Control officers.)

8. PLANNING APPLICATION - 48 NICHOL ROAD, CHANDLER'S FORD

The Committee considered the report of the Head of Development Control (Agenda item 9) concerning an application to cut back two sweet chestnut trees to provide 3m clearance from buildings. (Ref: T/13/72934).

RESOLVED -

That permission be GRANTED subject to the recommended conditions and reasons .

(NOTE: Councillor Caldwell declared an interest as a near neighbour and left the room taking no part in debate or voting thereon.)

M5151

20/11/2013

APPLICATIONS RECOMMENDED FOR DECISION

CHANDLER'S FORD & HILTINGBURY Wednesday 20 November 2013 Case Officer Gary Osmond

SITE: **Hiltingbury Motors Ltd, 72 Hiltingbury Road, Chandler's Ford, Eastleigh, SO53 5SS**

Ref. F/13/72507 Received: 07/05/2013 (08/08/2013)

APPLICANT: Mr J Wadley

PROPOSAL: **Change of use from car showroom and office to café/restaurant (A3) on ground floor and residential flat above**

AMENDMENTS:
RECOMMENDATION:

REFUSE PLANNING PERMISSION

CONDITIONS AND REASONS:

(1) Insufficient information has been provided to demonstrate that the application proposal will not result in an adverse or unacceptable impact upon the amenity of neighbouring businesses, residential properties and the character of the wider area, through disturbance caused by increased traffic, parking, noise, smells, odours and late opening. As such the application is considered to be contrary to saved Policy 59.BE of the adopted Eastleigh Borough Local Plan Review (2001-2011) and Policy DM1 of the Revised Draft Eastleigh Borough Local Plan 2011-2029.

(2) Insufficient information has been provided to demonstrate that the application site can be adequately serviced or that it can provide sufficient on-site parking to serve the proposed restaurant, and that it can be done in a way which does not conflict with neighbouring businesses or lead to any highway safety issues. As such the application is considered to be contrary to saved Policy 59.BE of the adopted Eastleigh Borough Local Plan Review (2001-2011), Policies DM1 & DM24 of the Revised Draft Eastleigh Borough Local Plan 2011-2029 and the Hampshire County Council Parking Standards.

(3) Insufficient off-road parking for occupiers of the proposed first floor flat is to be provided and no information has been provided to demonstrate that the proposed parking location is within the control of the applicant or application premises or that it will not conflict with any neighbouring businesses. As such the application is considered to be contrary to saved Policy 59.BE of the adopted Eastleigh Borough Local Plan Review (2001-2011), Policies DM1 & DM24 of the Revised Draft Eastleigh Borough Local Plan 2011-2029 and the Council's 'Residential Parking Standards' Supplementary Planning Document.

(4) The proposal fails to make contributions towards the provision of sustainable integrated transport works, the need for which will increase as a direct result of the development proposed. The proposal is therefore contrary to Supplementary Planning Document 'Planning Obligations', saved Policy 101.T of the Eastleigh Borough Local Plan Review (2001-2011), Policies DM23, DM24 & DM37 of the Revised Draft Eastleigh Borough Local Plan 2011-2029, and the provisions of the
National Planning Policy Framework.

This decision has been made based on the following submitted plans numbered: Location, Bloc & HILT72/01.

Report:

This application has been referred to Committee by Councillors Caldwell, Grajewski, Hughes and Olson and due to the number of objection letters received.

Description of application

1. The application proposes to convert what was the former car showroom element of the former Hiltingbury Motors site, which faces Hiltingbury Road into a café/diner/ice cream parlour, with the current first floor office accommodation being converted into a two bedroom flat accessed from the diner. The current repair workshops to the rear and hand car wash which faces Thorold Road would remain unchanged.

Site area

2. Approximately 600 square metres.

Residential development (net)

3. This equates to approximately 17 dwellings per hectare when considering the proposed first floor flat.

Topography

4. The rear of the site sits at a lower level to the Hiltingbury Road frontage, dropping down a full storey following a natural valley which runs along the rear of the shopping parade.

Trees

5. There are a number of trees to the rear of the site but none would be affected by the proposals.

Boundary treatment

6. The site is open onto both the Hiltingbury and Thorold Road boundaries, which are marked by low metal rails. The rear is onto an access road which serves the rear of this and the neighbouring buildings. The remaining eastern side boundary is shared with the adjoining building.

Site characteristics

7. The application site is a former car dealership with showroom and workshops to the rear located on a prominent corner site at the western end of a parade of shops. The former dealership has since been split into three separate units, workshops to the rear, a car wash onto Thorold Road and the car showroom onto Hiltingbury Road. The old forecourt area to the front, which was previously used for displaying cars, is part of the application site and may be available for customer parking, with vehicular access most likely from Thorold Road.

Character of locality

8. While the site sits at the end of a shopping parade, the surrounding area is otherwise residential in nature, being made up of mainly good size detached single and two storey dwellings, although there are some flats near by. The site also sits within the Kingsway Special Character Area, although has no direct relevance to the nature of the application. Also of relevance are the Hiltingbury Lakes which are just to the south-west of the application site.

Relevant planning history

9. The site has been used as a car dealership for a number of years, with approval for a service station being granted in 1960, followed by a showroom and workshops in 1964 and 1966. In 1978 permission was granted for a first floor flat, which was later given consent to convert into offices in 1990, since which time there has been nothing significant on the site in terms of planning applications.

10. There is also a separate planning application, which is currently under consideration (F/13/73425) for change of use of the site to an A1 retail shop.

Representations received

11. The application has generated quite a number of responses, thirteen in total, all of which have objected to or raised concerns with that proposed. The issues raised are:

- Noise
- Smells and odours
- Parking, including loss of parking for neighbouring businesses
- Conflict with the neighbouring car wash
- Local businesses not supportive
- Increased traffic
- Highway safety
- Anti-social behaviour
- Take-away food
- Litter
- Late opening hours
- Could serve alcohol
- Fast food does not promote a healthy lifestyle
- There are already numerous facilities and activities for teenagers in the area
- 'Garish' signage and lighting would not be appropriate for the area
- Refuse storage
- Drainage
- Impact on Hiltingbury Lakes
- Overdevelopment of site
- Crime
- Local residents have not been consulted with
- Loss of privacy
- Visually intrusive
- Devaluation of property

Consultation responses

12. **Head of Transportation & Engineering** – Holding Objection

13. No information as to how the proposed six parking spaces would be arranged and accessed has been provided and it is also likely that the number of seats proposed would require more parking spaces than proposed. Whilst parking at neighbouring shops may be available this is often full at peak times. On-street parking in this location would not be welcomed and a revision of the existing traffic regulation order may be required. Details of where delivery vehicles would stop, and how cycle parking would be provided for customers is also required. There would also be a need for transport contributions in accordance with Hampshire County Council Transport Contributions Policy.

14. **Head of Environmental Health** – Holding Objection

15. The application proposal has the potential for noise and odours which could impact upon neighbouring residential uses. No information with regards to the type of extractor fan and associated equipment to be installed has been provided,

including details of expected noise levels and impact from odour. Increased activity from customers could also result in additional noise in the evenings. Again no information has been submitted to show how this would be taken into consideration.

Policy context: designation applicable to site

- Within Built-Up Area Boundary
- Within Established Residential Area
- Within Special Character Area
- Adjacent to an identified Neighbourhood Shopping Parade

Development plan saved policies, emerging local plan policies and Supplementary Planning Documents

- Eastleigh Borough Local Plan Review (2001-2011): 59.BE, 71.H, 101.T, 133.TC & 141.T
- Revised Draft Eastleigh Borough Local Plan 2011-2029: DM1, DM7, DM21, DM23 & DM24
- Supplementary Planning Document: Quality Places
- Supplementary Planning Document: Planning Obligations
- Supplementary Planning Document: Chandler's Ford and Hiltingbury Character Areas - Kingsway

National Planning Policy Framework

16. 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."

Policy commentary

17. The above policies and guidance combine to form the criteria on which this application will be assessed with particular regard to the principle of that proposed, its layout and design, issues of parking, servicing, access and highway safety, the residential amenity of neighbouring properties including the potential for anti-social behaviour, the street scene and character of the surrounding area.

Comment on representations received

18. A response to the majority of the main issues raised is given below. However, a number of other concerns were also highlighted.

19. Concerns were raised that the premises would sell alcohol or serve takeaway food. The application is for an A3 café/restaurant use and in order to serve takeaway food a further consent for an A5 takeaway use would be required. With regards to alcohol, this would require an alcohol licence to be granted, which is covered by separate legislation and is not relevant to the planning application, particularly as there has been no suggestion from the applicants that they intend to apply for an alcohol licence.

20. Concerns were also raised that the proposed diner would involve 'garish' signs on the building which would not be respectful to the area. If approved, it is likely that signage would be required, which would be considered as part of a separate advertisement application where its appropriateness to the character of the area would be assessed.

21. A further concern raised is that the applicant has claimed to have the support of neighbouring businesses. While some of those who have commented have queried this, there is nothing to suggest that this is not the case, although the Council has received no letters of support as part of the application. Others have stated that insufficient consultation has taken place. It is unclear if the applicant consulted adjacent residential properties but as part of the planning application all immediate neighbours were written to directly and a site notice was displayed at the front of the site.

22. The other main concern is the possible devaluation of property should the proposed change of use be approved. While it is acknowledged that this is an obvious concern for those who live nearby, it is not a material issue which can be taken into consideration when determining the application.

Assessment of proposal: Development plan and / or legislative background

23. 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".

24. The proposal is considered to conflict with the relevant Development Plan policies in that:

25. In this case policy issues for consideration include:

Principle

26. The application site is within the urban edge and immediately adjacent to a local shopping parade, although not within the defined shopping area. The basic principle therefore of the proposed change of use from a former car showroom to an A3 café/restaurant use is acceptable, with any formal planning approval being based upon the exact details and impact of that proposed being considered acceptable and in accordance with the relevant saved policies of the current adopted local plan and the relevant supplementary planning documents. The

relevant saved policies in this instance are 59.BE, 71.H, 101.T, 133.TC and 141.T of The Eastleigh Borough Local Plan (2001-2011).

27. 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, 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.

28. Saved Policy 71.H encourages mixed use developments where appropriate, such as established shopping areas.

29. Saved Policy 101.T requires any new development which would result in increased traffic on the local road network to provide financial contributions towards mitigating for that additional traffic.

30. Saved Policy 133.T allows further development of local centres for retail and town centre uses or other community uses provided they meet a number of criteria to ensure that any proposal is suitable and will not undermine the centre. While not strictly relevant in this instance, as the application site is not within a defined local parade, it is immediately adjacent to it one and effectively forms part of it. Therefore any proposal on this site must ensure that it will not have an adverse impact upon the remainder of the Hiltingbury Road shopping parade.

31. Saved Policy 141.T encourages the use of upper floors within shopping areas for suitable uses such as offices and residential, provided the amenity of these upper floor uses is not adversely affected by the ground floor use.

32. Therefore the principle of an A3 use on this site is acceptable provided it can be adequately demonstrated that such a use would not have any adverse or unacceptable impact upon neighbouring uses, in particular residential uses, or upon the existing character of the surrounding area.

Layout & Design

33. The application proposes to convert the current car showroom area into the main part of the restaurant/diner, with additional seating to the rear, together with customer toilets and a staff office in what was previously an ancillary storage room. The kitchen would be to the lower level with rear access and internal steps up to the main seating area. At first floor level, in what was previously used as offices, would be a two bedroom flat. Given that this flat can only be accessed from within the restaurant/diner, it is presumed that this is intended as staff accommodation.

34. Externally it is proposed to provide customer parking to the front, a single parking space to the rear for the first floor flat and utilise the current waste management arrangements on site for bins. It is also proposed to provide cycle parking but details of where this is to be located has not been provided.

35. In terms of a general arrangement, that proposed appears to be feasible, although further details would give a better indication of the quality of the final development were it to be approved.

Parking, Servicing, Access & Highway Safety

36. It is proposed to provide five customer parking spaces to the front of the site. However, the submitted drawings do not demonstrate how these spaces would be arranged or how they would be accessed so as not to conflict with the neighbouring carwash business. Further details have been requested of the applicant but have not been forthcoming.

37. While it is likely five spaces could be provided to the site frontage this is significantly short of the 20-30 spaces that the Hampshire Parking Standards would usually require for a development of this nature. The applicant has stated that the neighbouring parking areas to the front of the shopping parade would be available for customers to use. However, this is private land and no confirmation has been received or provided by these neighbouring businesses or their landlords to say that these parking areas would be available for the use of the restaurant/diner. Without any form of confirmation this cannot be relied upon as a solution to parking provision for the proposed development. There are also some concerns that there is not the spare capacity available within the neighbouring parking areas to serve both the existing businesses and the proposed restaurant. In order to ascertain if there is capacity a parking survey would need to be undertaken.

38. Although it is expected that a large proportion of customers are likely to be from nearby schools, and would not therefore travel by car, there is still a need to meet the necessary parking standards as the application is for an A3 restaurant use which does not differentiate between the type of food sold or the nature of the customers who use the restaurant. While the proposed diner is likely to attract a ‘younger’ customer base, an Italian restaurant for instance would probably attract a more mature customer base that are more likely to travel by car.

39. Without sufficient on-site customer parking or the ability to use the neighbouring parking, there is a concern that this would lead to more on street parking. Currently there are parking restrictions along Hiltingbury Road in front of the shops in order to prevent obstruction and visibility issues. This would push overflow parking onto Thorold Road and the neighbouring residential streets. While parking on these streets is unlikely to cause any highway safety issues if done considerately, the increased parking and disturbance this would cause to residents is of concern.

40. There are further parking issues with regards to servicing of the proposed use. No information as to how or when this would be undertaken has been provided. While there is likely to be scope to service the site from the rear, can this be done in such a way so as to not inconvenience the other businesses on site and immediate residential neighbours? It is also proposed that occupiers of the first floor flat would park to the rear of the site. While there are some informal spaces

behind the building it is not clear that any are available for use of the application premises. However, even if spaces are available, there are concerns that this would not be a safe area for occupiers of the flat to use as it is poorly lit and not well overlooked.

41. Based on the information provided with the application, it is considered that the proposal will provide insufficient on-site car parking or servicing to serve the proposed development, which would in turn lead to increased on street parking in residential streets to the detriment of the amenity of residents of those streets and could also lead to increased highway safety concerns for Hiltingbury Road and the junction with Thorold Road. As such the application is considered to be contrary to saved Policy 59.BE of the current adopted local plan.

Residential Amenity

42. The principal objection from those living close to the application site is that the proposed diner/restaurant use would result in much increased disturbance through noise, caused by customers and their vehicles, as well as smells and odours from the diner itself. While the issue of smells and odours could be dealt with by the installation of suitable extraction and odour neutralisation equipment, no information as to exactly what equipment is proposed or why it is proposed to site it where shown on the submitted drawings has been provided with the application. This information could be provided at a later date via a planning condition, but without some justification or information to demonstrate that the equipment and its proposed location will not result in unacceptable disturbance to neighbouring residential properties, in particular the proposed first floor flat, it may be unwise to recommend the application for approval. This view is backed up by the response from the Head of Environmental Health.

43. The Head of Environmental Health also shares the concerns of objectors that the increased activity of customers, their vehicle movements and the late opening of the diner would adversely impact upon the amenity of surrounding residential properties. The proposed opening hours of 0800 to 2230 hours every day of the week while suitable for the proposed use and probably acceptable in a town centre location, do raise concerns with regards to the application site and its residential neighbours.

44. It is acknowledged that the site sits at the end of an established shopping parade, but none of the present uses within the parade open late into the evening. While conditions to restrict opening hours or outside seating could be applied to any planning approval, the introduction of a potentially noisy use, such as the diner proposed, is likely to result in some conflict with neighbours. Were the site more central within the parade then this may not be of such a concern, but its location at the end and in close proximity to residential properties will have some degree of impact upon the amenity of these neighbours.

45. Based on that which has been submitted with the planning application, officers are of the opinion that insufficient information has been provided to adequately demonstrate that the amenity of neighbouring and nearby properties will not be

adversely affected by the proposed use. As such the application is considered to be contrary to saved Policy 59.BE of the current adopted local plan.

Crime & Antisocial Behaviour

46. Objectors have also expressed concerns that the proposed diner would attract groups of youths, which in turn could lead to problems of litter, antisocial behaviour and crime. While these concerns are understood, there is nothing to suggest that this would be the case and does make some rather negative assumptions of the behaviour of local young people. It is also the case that the behaviour of customers when not on the application premises is out of the control of the applicant and equally that it would not be good for the applicant's business to allow trouble that may be associated, rightly or wrongly, with the business.

47. This being the case, it would be unreasonable to assume that the proposed diner would automatically result in more litter, antisocial behaviour and crime, and should not therefore be used as a reason to refuse the application.

Street Scene & Area Character

48. In terms of the street scene, given that there would be no significant external changes to the building, other than signage, which would be considered as part of a separate advertisement application if required, the impact upon the existing street scene is likely to be minimal. It could be argued that bringing the old car showroom back into use would improve the site's appearance but without more detailed information as to exactly how the site frontage would be used or how it would be improved this cannot be assured. However, if approved these details could be secured via an appropriately worded planning condition.

49. With regards to the proposal's impact upon the general character of the area, while in principle such a proposal is acceptable, insufficient information has been provided to alleviate the concerns of officers and objectors that the proposal will not have an unacceptable and undesirable impact upon the amenity of surrounding occupiers, in particular residential occupiers through disturbance caused by parking, noise and the proposed late opening of the diner. As such the application is considered to be contrary to saved Policy 59.BE of the current adopted local plan.

Planning obligation /considerations

50. In accordance with the requirements of the National Planning Policy Framework and the guidance contained within saved Policy 101.T of the Eastleigh Borough Local Plan Review (2001-2011) and Supplementary Planning Document 'Planning Obligations', this application is subject to developer's contributions towards the provision of sustainable transport in the local area.

51. Saved Policy 101.T requires any new development which would result in increased traffic on the local road network to provide financial contributions towards mitigating for that additional traffic. Based on the information provided by the applicant on expected customer and seating numbers, there will be an

increase in trips to and from the site compared to the existing approved use as a car showroom. Therefore contributions towards sustainable transport measures/works will be required. The applicant has been made aware of this but the necessary contributions have not been secured.

Other material considerations

52. Also of relevance is the Revised Draft Eastleigh Borough Local Plan 2011-2029. 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.

Conclusion

53. While the basic principle of the change of use proposed is acceptable in planning policy terms, the proposal does raise a number of concerns with regards to the potential resulting impact of the proposal upon the amenity of neighbouring occupiers. Whilst a number of these issues could potentially be addressed through appropriate conditions and restrictions, insufficient information has been provided with the application to demonstrate that these issues have been fully considered or that they can be adequately addressed. As such the application is considered to be contrary to saved Policy 59.BE of the current adopted local plan.



EASTLEIGH BOROUGH COUNCIL

Title:

Scale:
1:1250

Map Ref:
SU4422SW

Date:
25/10/2013

CHANDLER'S FORD & HILTINGBURY Wednesday 20 November 2013 Case Officer Tracy Payne

SITE: **19 Wychwood Grove, Chandler's Ford, Eastleigh, SO53 1FQ**

Ref. F/13/72816 Received: 26/06/2013 (29/10/2013)

APPLICANT: Mr Pardip Sahota

PROPOSAL: **Single storey front extension and addition of pitched roofs to existing side and rear extensions**

AMENDMENTS:
RECOMMENDATION:

PERMIT

CONDITIONS AND REASONS:

(1) The development hereby permitted shall be implemented in accordance with the following plans numbered: Location, Block, 001A, 002B, 003B. Reason: For the avoidance of doubt and in the interests of proper planning.

(2) The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour and texture those used on the existing building. Reason: To ensure a satisfactory visual relationship between the new development and the existing.

Note to Applicant: It is considered that, subject to compliance with the conditions and any obligations attached to this permission, the proposed development is acceptable because it will not materially harm the character of the area, the amenity of neighbours or highway safety and it is in accordance with the policies and proposals of the development plan, comprising the Eastleigh Borough Local Plan Review [2001-2011], and after due regard to all other relevant material considerations including the National Planning Policy Framework and the Revised Draft Eastleigh Borough Local Plan [2011-2029] the local planning authority is of the opinion that permission should be granted.

The following development plan saved policies and emerging draft local plan policies are relevant to this decision and the conditions attached to it:

Eastleigh Borough Local Plan Review 2001-2011, saved Policy 59.BE

Revised Draft Eastleigh Borough Local Plan 2011-2029 Policy DM1

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Under the Town and Country Planning [England] Regulations 2012, a fee is now required for Discharge of Condition Applications. N.B. Conditions not fully discharged, invalidate the planning permission.

Note to Applicant: The application site lies on a former nursery. The presence of 'made ground' and/or contaminants in the ground cannot be ruled out and therefore we would recommend that the risks to the development be considered; including the design of the floor construction and the number/ location of service penetrations. The applicant should also be advised to contact Environmental Health to discuss the above. In addition, we would recommend that this is brought to the attention of the Building Control officer. Should any information come to light during the demolition or construction works that indicates the presence, or the possible presence of, ‘made ground’ or of contaminated soils, then this should be brought to the attention of the Environmental Health Service. Any excavated material is to be disposed in the appropriate manner and not to be reused on site, unless proven to be 'free' from chemical contamination.

Report:

1. This application has been referred to Committee due to a Member of the committee living in close proximity to the site.

DESCRIPTION OF APPLICATION

2. The proposed dvelopment consists of the following elements:

- Constructions of a single storey flat roofed front extension that projects 2.8m
- addition of a mono pitched roof containing 4.no roof lights over existing side extension
- addition of a hipped roof the existing single storey rear extension

THE SITE AND ITS SURROUNDINGS

3. Wychwood Grove is a residential street to the north of the main Chandlers Ford centre. The area is made up of mainly detached two storey dwellings on comfortable sized plots. The properties are of a mix of similar design units alternating between garages that project forward of the building line and car ports slightly back from the front of the house. The properties within Wychwood Grove and Kingsway Gardens all date from the 1960s and 70s, where as those along Kingsway are generally from the 1920s and 30s.

4. The application property is an early 1970s detached two storey dwelling set back from the road by a large front garden and area of hard standing used for parking. The property has a flat roofed car port to the side which appears to have been partially filled in behind which is a single storey flat roofed attached garage which has been converted. A path leads along the north east boundary to a private rear garden area where a single storey flat roofed extension has been constructed.

TOPOGRAPHY

5. Flat level site.

TREES

6. The site and surrounding properties are covered by a blanket Tree Preservation Order (TPO7/A2) which protects all tree species in the area.

BOUNDARY TREATMENT

7. The site is open to the front onto Wychwood Grove and has 1.8 – 2.0 metre timber fences to all rear garden boundaries.

RELEVANT PLANNING HISTORY

8. None

REPRESENTATIONS RECEIVED

9. None

CONSULTATION RESPONSES

10. **Chandlers Ford Parish Council** – No Objection

11. **Head of Housing and Environmental Health** - The application site is located on a former nursery, as shown on historical Ordnance Survey mapping. We

recommend that the applicant is advised of this and that the presence of 'made ground' and/ or contaminants in the ground cannot be ruled out.

POLICY CONTEXT: DESIGNATION APPLICABLE TO SITE

- Within Built-Up Area Boundary
- Within Established Residential Area

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SUPPLEMENTARY PLANNING DOCUMENTS

- Eastleigh Borough Local Plan Review (2001-2011) 59.BE
- Revised Draft Eastleigh Borough Local Plan 2011-2029 DM1
- Supplementary Planning Document: Quality Places

NATIONAL PLANNING POLICY FRAMEWORK

12. National Planning Policy Framework highlights 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" (para 56) and goes on to state that decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development (para 58).

ASSESSMENT OF PROPOSAL: DEVELOPMENT PLAN AND / OR LEGISLATIVE BACKGROUND

13. 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".

14. Saved Policy 59.BE of the Local Plan and emerging Policy DM1 of the Pre-submission Eastleigh Borough Local Plan both require 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.

Principle

15. The application site lies within the urban edge and within an established residential area where the principle of development is acceptable, with any formal approval being dependant on the details and impacts of the proposal being considered acceptable, as set out below.

Layout/Design

16. The proposed roofs are appropriate in their scale and design and improve the overall visual appearance of the property.

17. The proposed front extension is modest in its size and design, projecting only 2.8m in comparison to nearby properties that project by up to 5m. The proposed flat roof is a characteristic of the area and is considered appropriate.

18. Overall the proposed development is considered to assimilate well and be sympathetic to the existing property and the character of the locality.

Residential Amenity

19. The proposed roofs, although adding height to the structures will not result in any unacceptable impact to neighbouring properties by way of a loss of light, outlook, overbearing impact or overlooking.

20. The proposed front extension is single storey, flat roofed, and located away next to a clear area of flank wall to the neighbouring property. It is therefore not therefore considered to result in any loss of amenity in terms of light, outlook, overlooking or overbearing impacts.

Street Scene/Character Area

21. Forward projecting garages and extensions are common in this area. The proposal is similar in scale and design to many in the area and is not therefore considered to have a detrimental impact on the street scene or the wider character of the area.

Trees

22. There are no protected trees within the curtilage of the site and any protected trees are considerable distance from the proposed development and will not therefore be at risk of harm.

Other Matters

23. The site is considered to retain a good sized garden therefore the proposals are not considered to result in the overdevelopment of the plot.

PLANNING OBLIGATION /CONSIDERATIONS

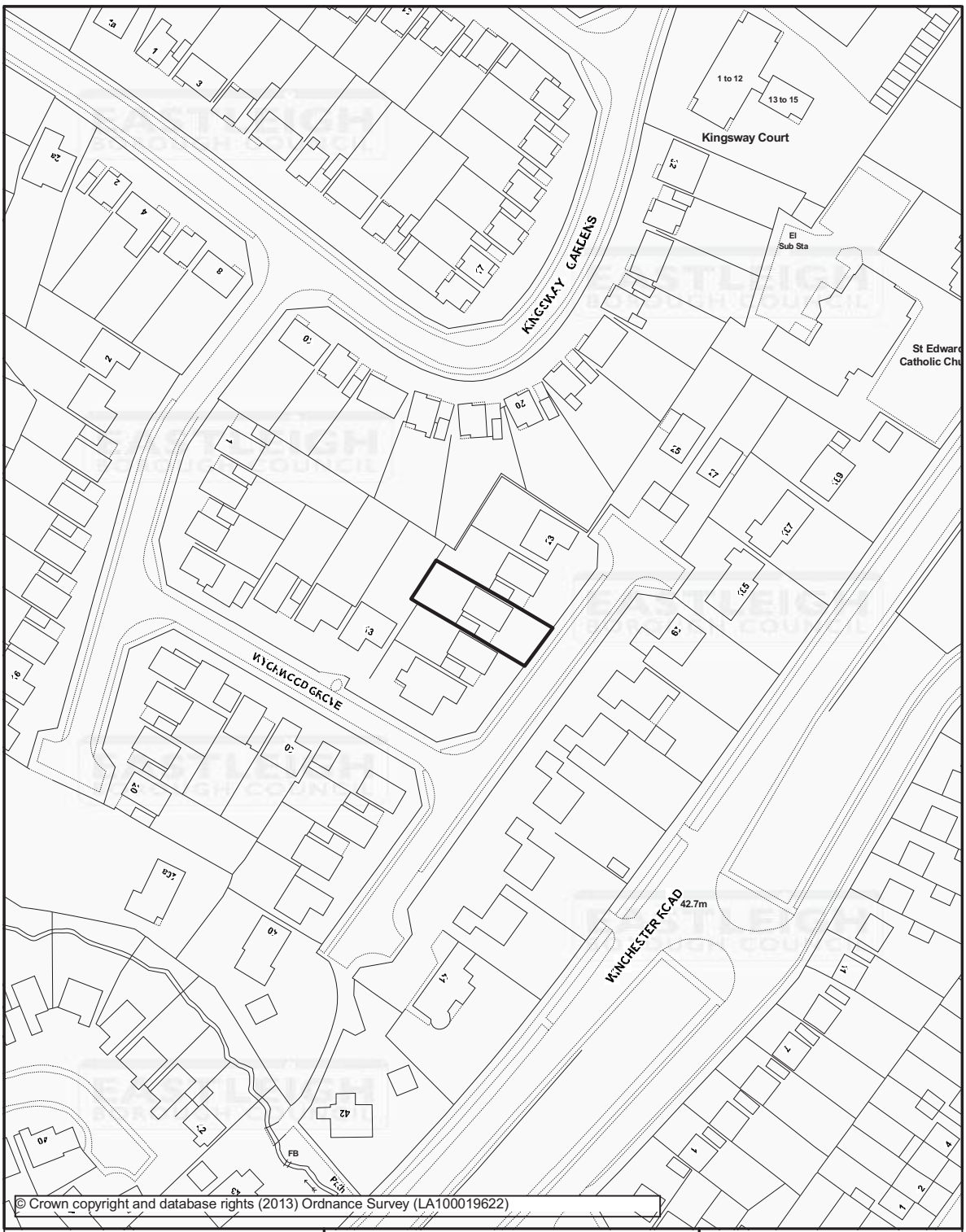
24. Planning Obligations are not applicable to scale or form of development proposed.

OTHER MATERIAL CONSIDERATIONS

25. Also of relevance is the Revised draft Eastleigh Borough Local Plan 2011-2029. 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.

CONCLUSION

26. In view of the above this application is considered to comply with the requirements of saved Policy 59.BE and emerging Policy DM1 and is therefore recommended for approval subject to conditions.



EASTLEIGH BOROUGH COUNCIL

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25/10/2013

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CHANDLER'S FORD & HILTINGBURY Wednesday 20 November 2013 Case Officer Kitty Budden

SITE: **Cheriton, 90 Lakewood Road, Chandler's Ford, Eastleigh, SO53 5AB**

Ref. F/13/72924 Received: 09/07/2013 (03/09/2013)

APPLICANT: Mr T Masters

PROPOSAL: **Erection of 0.5m high boundary wall with 1m high railings on top following removal of existing hedge**

AMENDMENTS:
RECOMMENDATION:

REFUSE PLANNING PERMISSION

CONDITIONS AND REASONS:

(1) The proposed boundary treatment, by reason of its height and design, would result in an incongruous feature, out-of-keeping with the Arcadian character of the area, to the detriment of the character and visual amenity of the special policy area. The proposal is therefore contrary to saved policies 59.BE and 181.LB of the Eastleigh Borough Local Plan Review [2001-2011] and policy DM1 of the Revised Draft Eastleigh Borough Local Plan [2011-2029].

Note to Applicant: The application was refused following the assessment of the following plans: A, B, C, D.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough council take a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner

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Report:

1. This application has been referred to Committee by the Head of Development Control.

2. Following Member's request for further negotiations, officers met with the applicants on 9th October 2013. The proposal and possible options were discussed at length; and the applicants have requested the application be determined in its current form.

The site and its surroundings

3. The development site comprises a large, detached two storey dwelling in a corner plot at the junction of Lakewood Road and Coultas Road.

4. The dwelling is sat back from the highway, with a good sized frontage parking/garden area leading to large side and rear garden. At present, the boundary treatment for the front boundary onto Lakewood Road (approximately 29 metres long) and the side boundary treatment onto Coultas Road (approximately 59 metres long) is comprised of a mix of coniferous species, primarily Leylandii.

5. The site falls within the Hiltingbury and Hocombe Park Special Policy Area (SPA) which stretches along the majority of Hocombe Road, partially along the northern end of Winchester Road, and along the length of Lakewood Road. This Special Policy Area is referred to as well-wooded, consisting generally of large residential plots which are visually attractive and of Arcadian character.

6. Properties are generally set back from the highway with parking areas and gardens in front. Boundaries are typically well screened with mature and varied planting and a plethora of substantial and healthy trees throughout. The majority of boundary treatments are comprised of low level structures, such as dwarf walls or low fencing, with hedging or planting mitigating the impact of the structure; or dense planting to form a hedge. Where there are exceptions, these are typically short sections of higher fencing or walls within the street, however these are noticeably incongruous within the lush, green setting.

Description of application

7. Earlier in the year, a complaint from a pedestrian regarding obstruction of the footpath was received by Hampshire Highways, Hampshire County Council (HCC). As set out in Section 130 of the Highways Act 1980, the Highway Authority has a duty to protect the rights of the public to use and enjoy the highway. The encroachment onto the public highway of hedges which prevent the legitimate use of the highway, falls under the duty set out in this act and is therefore acted upon when brought to the attention of Hampshire Highways. An inspection was carried out by HCC which confirmed the hedge was obstructing the footpath and requiring pedestrians to walk on the verge. Contact was made with the owners of the hedge, Mr and Mrs Masters, to request works be carried out to rectify the problem.

8. Typically the Highway Authority would then serve a notice under Section 154 of the Highways Act 1980 requiring the owners of overhanging hedges to cut

back to provide the necessary clearance. In this case, Mr and Mrs Masters confirmed they intended to carry out the work and no notice has been served.

9. As a result of the hedge not being maintained prior to Mr and Mrs Masters occupying the property a number of years ago, the hedge has become quite wide. Given the nature of Leylandii, cutting it back would expose large quantities of bare wood and potentially sharp branches, which would be visually unattractive and may be a hazard to pedestrians.

10. With this in mind, the applicants wish to remove the existing hedge and replace with a 0.5m high red brick wall, topped with 1.0m high black railings with gold fleur-de-leys. A replacement hedge is also proposed to be planted behind this structure, comprising Prunus Laurel. The planting of a hedge does not require planning permission, therefore this element of the scheme does not form part of the planning application.

11. The proposal has been discussed with the applicant in relation to what works can be carried out under Permitted Development Rights and the material planning considerations which would be assessed as part of a planning application. The applicants have considered the options available to them and have submitted a planning application for their preferred option.

Trees

12. There are a number of trees on site which are covered by a Tree Preservation Order. Whilst it would appear a number of these are close to the hedge to be removed, it has not been indicated by the applicant that they expect to remove them as part of the proposed works.

Relevant planning history

13. There is no planning history on the site which is relevant to this planning application.

14. There are some planning applications in the vicinity which may be considered relevant and are listed below:

- 77 Hocombe Road: Z/14538/008 – Erection of brick wall 1.8m high. Permitted 2003;

- 79 Hocombe Road: F/07/58988 – Erection of 1.5m high fence with access gate at front and erection of 2m high fence with access gate at side. Refused 2007;

- 81 Hocombe Road: F/07/60954 - Extension of existing brick piers to a height of 2m and installation of 2 no metal gates to existing entrance ways. Permitted 2007.

Representations received

15. The following letters of support have been received:

- 93 Lakewood Road: As neighbours of Mr and Mrs Masters we wanted to provide comment on this proposal. We are fully supportive of the scheme and consider it to be both attractive and in keeping with the street scene.

- 91 Lakewood Road: We would like to confirm our agreement to and support for the planning application referenced above – we have NO objections.

Consultation responses

16. Chandler's Ford Parish Council – No objection.

Policy context: designation applicable to site

- Within Built-Up Area Boundary
- Within Established Residential Area
- Within the Hiltingbury and Hocombe Park Special Policy Area

Development plan saved policies, emerging local plan policies and Supplementary Planning Documents

- Eastleigh Borough Local Plan Review (2001-2011): 59.BE, 181.LB.
- Revised Draft Eastleigh Borough Local Plan 2011-2029: DM1
- Supplementary Planning Document: Quality Places.
- Supplementary Planning Document: Chandler's Ford and Hiltingbury Character Area.

Planning policy guidance

17. The National Planning Policy Framework, (NPPF), sets out the Government's planning policies for England and how these are expected to be applied. Planning law requires that planning applications be determined in accordance with the development plan, as referred to above, unless materials considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions; it does not however change the statutory status of the development plan as the starting point for decision making.

18. Paragraph 12 of the NPPF requires proposed development that accords with an up-to-date Local Plan to be approved and proposed development that conflicts to be refused.

19. 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.'

20. It goes on to say, 'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.' (para. 60.)

Policy commentary

21. The above policies and guidance combine to form the criteria on which this application will be assessed with particular regard to impact on the street scene and character of the special policy area and visual amenity.

Assessment of proposal: Development plan and / or legislative background

22. 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".

23. **Principle:** The development site falls within the built urban edge, in an established residential area. The principle of development is therefore accepted, subject to the proposed works being appropriate in nature, scale and design, in compliance with the relevant local planning policy and guidance.

24. In this case, the relevant Local Plan policies are 59.BE and 181.LB, in combination with the Quality Places SPD and the Chandler's Ford and Hiltingbury Character Areas SPD.

25. Policy 59.BE deals with general design criteria and requires development to take full and proper account of the context of the site including the character and appearance of the locality; and to be appropriate in mass, scale, materials, design and siting, both in themselves and in relation to adjoining buildings, spaces and views, natural features and trees worthy of retention.

26. Policy 181.LB relates specifically to the Hiltingbury and Hocombe Park Special Policy Area and amongst other things, requires 'the design, siting, size, scale and type of the proposed development is compatible with the Arcadian character of the locality.' This local plan policy is reiterated in the Chandler's Ford and Hiltingbury Character Areas SPD.

27. The Quality Places SPD has a section which discusses boundary treatments (page 23). It states, 'For existing properties, the boundary treatment should be reflective of the general character of an area. Should the boundary treatments of the majority of properties in an area consist of low fencing or walling and dense planting, a 1.8m high brick wall will not be acceptable.'

28. **Character of the Special Policy Area:** As mentioned above, the site falls within the Hiltingbury and Hocombe Park Special Policy Area (SPA) which stretches along the majority of Hocombe Road, partially along the northern end of Winchester Road, and along the length of Lakewood Road. This Special Policy Area is referred to as well-wooded, consisting generally of large residential plots which are visually attractive and of Arcadian character.

29. The area has a diverse range of mature trees of various shapes and sizes that provide a strong, attractive visual backdrop. This complements the typically large, attractive dwellings set back in plots, which have good levels of soft landscaping to diminish the visual prominence of the buildings. The soft landscaping generally extends from the front garden and parking areas to the front boundaries, and often the side boundaries to the frontages. The continuity of the softer boundary treatments along the street reinforces the treed backdrop and the attractive and verdant character which this SPA is recognised for. Where there have been exceptions to this, with higher walls or fences, these tend to stand out in the street. For the most part, these structures form the front boundary of properties with narrow frontages; therefore the visual impact is mitigated by the restricted length.

30. **Issue of Precedence:** The applicant has commented that there are examples of boundary treatments in the vicinity which are not consistent with the guidance they have received from the Local Planning Authority (LPA).

31. Several of these exceptions have been included above for information, together with details of a refused planning application; however the issue of precedence is not a material planning consideration and each application must be assessed on its own merits, in relation to the constraints and assets of each individual site and the characteristics of the locality.

32. Whilst the considerations for a similar application at different sites may be the same, the individual circumstances of each site may result in the outcome of those considerations being different.

33. **Street Scene/ Visual Amenity:** As discussed under the character section, the verdant setting of the area is a significant component of the Arcadian character and is identified as important. The sites where the boundary treatments have been replaced with walls or fences is in the minority and their impact is diminished by the quantity and quality of soft landscaping in nearby plots. They are noticeable however, by their different character and are examples of the impact that relatively small changes can have in the street scene.

34. The proposed application consists of the erection of a 0.5m red brick wall with 1.0m black railings with gold fleur-de-leys. The applicants have indicated that they intend to plant a number of laurel shrubs behind the wall/railings, to form a hedge in time.

35. The site's corner location results in the front and side boundary abutting the public realm; and the size of the plot, with approximately 90 metres of exposed

boundary, means the contribution this site makes to the public realm is very significant.

36. The loss of the existing hedge will open the property up significantly and the replacement laurel hedge will take several years to grow to an extent that privacy will be restored. The proposed railings will not contribute to the privacy of the applicants.

37. The wall and railings will be a more formal and hard structure which does not reinforce the Arcadian character. Whilst it is acknowledged that over time the hedging would grow up behind the railings and potentially diminish their impact, this presents some issues discussed below.

38. As can be seen with the examples of boundary treatments which are not sympathetic to the Arcadian character, these are visually intrusive and it is the limited length of the boundary that prevents the detrimental impact becoming significant. This application proposes walls and railings close to 90 metres in length, along two boundaries, (29 metres for the front boundary and 59 metres for the side boundary); therefore the impact of this proposed treatment would be very significant.

39. **Use of Conditions:** The use of planning conditions can enable development to proceed which would otherwise not be acceptable. When making a planning decision, the LPA should consider whether planning permission would have to be refused if the requirements of that condition were not imposed.

40. In order for a condition to be imposed, the condition must meet the six tests set out in Circular 11/95: Use of Conditions in Planning Permission.

41. These tests require conditions to be:

- Necessary;
- Relevant to planning;
- Relevant to the development to be permitted;
- Enforceable;
- Precise; and
- Reasonable in all other respects.

42. This application has been considered in light of this, to establish whether the harm caused by the proposal can be mitigated sufficiently through conditions to allow a positive outcome for the applicant.

43. The most obvious solution to the issue of the detrimental visual impact of the wall/railings is the use of a planning condition to require the retention of the replacement hedge. The hedge could then, over time, grow through the railings obscuring them from view.

44. However, due to the proximity of the highway and the need for the hedge to be kept from obstructing the highway, the hedge would need to be able to be

cut back from the highway. For this to be practical, the hedge would need to be cut back to the inside of the railings, which means the railings would be visible. In addition, a condition requiring this to be carried out would not be enforceable in practical terms and could be argued to be unreasonable.

45. As such, it is considered that conditions cannot be imposed which mitigate the impact of development to such a point that planning permission can be recommended.

46. **Permitted Development Rights:** The proposed works under consideration require planning permission due to the height of the boundary structure, as set out in the Town and Country Planning (General Permitted Development)(Amendment)(No.2)(England) Order 2008.

47. The applicants are aware that other works could be carried out without requiring planning permission, (of which there are a number of examples in the immediate vicinity to the application site), and have chosen to submit a planning application for their preferred option.

Other material considerations

48. Also of relevance is the pre-submission Eastleigh Borough Local Plan 2011-2029. 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.

Conclusion

49. In light of the considerations above, the recommendation to the Local Area Committee is to refuse the planning application on the grounds of the proposal comprises the erection of a structure out-of-keeping with the Arcadian character, creating an incongruous feature in the street scene to the detriment of the character and visual amenity of the special policy area.



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EASTLEIGH BOROUGH COUNCIL

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Scale:
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25/10/2013

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CHANDLER'S FORD & HILTINGBURY Wednesday 20 November 2013 Case Officer Kitty Budden

SITE: **Land to rear of, 35 Shaftesbury Avenue, Chandler's Ford, Eastleigh, SO53 3BR**

Ref. F/13/73056 Received: 07/08/2013 (18/10/2013)

APPLICANT: Mr R Carter

PROPOSAL: **Erection of 1 pair of semi-detached dwellings, 1no. 3 bed & 1no. 4 bed, with associated parking**

AMENDMENTS:
RECOMMENDATION:

Subject to receipt of developer's contributions for community infrastructure; public open space; and sustainable transport.

PERMIT

CONDITIONS AND REASONS:

(1) The development hereby permitted shall be implemented in accordance with the following plans numbered: 147-1-SK100, 147-1-3-1 1A, 147-1-3-1 2A Reason: For the avoidance of doubt and in the interests of proper planning.

(2) The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(3) No development shall start until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

(4) No construction or demolition work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:

a) location of temporary site buildings, construction material, and plant storage areas used during demolition and construction;
b) the arrangements for deliveries associated with all construction works including loading and unloading of plant and materials;
c) the parking of vehicles of site operatives and visitors;
d) measures to control the emission of dust and dirt generated by demolition and construction;
e) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
f) provision for storage, collection, and disposal of rubbish from the development during construction period;
g) measures to prevent mud and dust on the highway during demolition and construction.
Reason: To limit the impact the development has on the amenity of the locality

(5) Developments shall not begin until a scheme of works to deal with dust from site has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall then be implemented and retained to the satisfaction of the local Planning Authority. Reason: To protect the amenity of the occupiers of adjoining properties.

(6) No development shall start until details for the sustainable disposal of surface water and disposal of foul sewerage from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall then accord with the approved details. Reason: To ensure satisfactory provision of foul and surface water drainage.

(7) Before development commences, a plan must be submitted to and approved in writing by the Local Planning Authority showing a line of protective fence around all trees, hedges and other natural features to be retained. Fencing shall be weld mesh panels secured to a scaffold framework in accordance with BS5837. No excavation shall commence on the site until the fencing has been erected and the fencing must be maintained during the course of works on the site. No access by vehicles or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fencing area. Note: The card accompanying this notice should be sent to the Development Control Section when the protective fencing is in place and development must not commence until the fencing has been inspected and the card signed by the inspecting officer. Reason: To ensure the natural features are protected from damage throughout the construction period.

(8) Prior to the commencement of any works a road condition survey along the length of private road within the blue line on the approved plan 11.144.501 must be undertaken, submitted to and approved in writing by the Local Planning Authority. Upon completion of the development, a second road condition survey of the same area must be undertaken, submitted to and approved in writing by the Local Planning Authority. Reason: To record the condition of the private road pre and post-development.

(9) No work shall commence on site until a Code for Sustainable Homes interim stage certificate and report highlighting how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' are to be met shall be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

(10) Prior to the occupation of any of the development hereby approved, a Code for Sustainable Homes final stage certificate and report highlighting how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' have been met shall be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the development has met the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

(11) No piling work shall be carried out on site without the written permission of the Local Planning Authority. Reason: To protect the amenity of occupiers of adjoining residential properties.

(12) If piling is required, no piling shall take place until a scheme of works detailing the extent and type of piling proposed has been submitted to and approved in writing by the Local Planning Authority. Reason: To protect the amenity of occupiers of adjoining properties.

(13) Before the development commences, or by such later date as the Local Planning Authority may determine, a landscape scheme comprising planting, details of hard surfacing and means of enclosure must be submitted to, and approved in writing by the Local Planning Authority. Such a scheme must include a planting specification and schedule, and shall indicate the position, size, number, planting density and species of shrubs and trees. Reason: To ensure that the appearance of the development is satisfactory.

(14) The landscape scheme must be completed within 6 months from the completion of the last building shell, or by such later date as the Local Planning Authority may determine. Any trees which die, are removed or become seriously damaged or diseased during the first five years must be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. Reason: To ensure that the appearance of the development is satisfactory.

(15) Details of facilities to be provided for the storage and removal of refuse from the premises must be submitted to, and approved in writing by, the Local Planning Authority. The facilities must be provided before the first occupation of the building(s), and retained thereafter. Reason: In the interests of amenity.

(16) No construction or demolition work must take place except between the hours 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings.

(17) No burning of materials obtained by site clearance or from any other source to take place on this site during the construction and fitting out process. Reason: In the interests of amenity.

(18) During the construction period no storage of building materials or parking of vehicles shall take place underneath the crown spread of the tree(s) to be retained on the site. Reason: To protect the health of the trees to be retained on the site.

(19) No storm water run-off shall be discharged into the foul sewer system. Reason: To prevent the risk of flooding.

(20) The first floor window on the north east elevation shall either be: a) obscure glazed to Pilkingtons level 3 or equivalent and top opening only: OR b) positioned at least 1.7 metres above the floor of the room in which it is installed. Reason: To protect the amenity and privacy of the adjoining residential properties.

(21) The development hereby permitted shall not be occupied until the parking area [including the garage] has been provided in accordance with the approved plans and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles incidental to the enjoyment of the dwelling house as a residence. Reason: To make provision for off street parking for the purpose of highway safety.

(22) The garage(s) shall not be converted to living accommodation without the prior written permission of the Local Planning Authority. Reason: In order to provide adequate on-site car parking.

(23) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 [or any order re-voking or re-enacting that order with or without modification], the buildings hereby permitted must not be extended or altered and there shall be no structures erected within the curtilage without the prior written permission of the Local Planning Authority. Reason: To protect the amenity of nearby properties.

(24) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 [or any order re-voking or re-enacting that order with or without modification], no buildings or enclosures shall be erected on the vehicle parking areas without the prior written permission of the Local Planning Authority. Reason: In order to maintain the satisfactory appearance of the development.

Note to Applicant: It is considered that, subject to compliance with the conditions and any obligations attached to this permission, the proposed development is acceptable because it will not materially harm the character of the area, the amenity of neighbours or highway safety, and it is in accordance with the policies and proposals of the development plan, as listed below, and

after due regard to all other relevant material considerations the local planning authority is of the opinion that permission should be granted.

The following development plan policies are relevant to this decision and the conditions attached to it:

Eastleigh Borough Local Plan Review 2001-2011, saved Policies 34.ES, 37.ES, 59.BE, 72.H, 147.OS, 190.IN, 191.IN.

Revised Draft Eastleigh Borough Local Plan 2011-2029 S1, S2, DM1, DM2, DM23, DM24, DM25, DM29, DM32, DM35, DM37.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough Council take a positive and proactive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Under the Town and Country Planning [Fees for Applications and Deemed Applications][Amendment][England] Regulation 2008, a fee is now required for Discharge of Condition Applications.
N.B. Conditions not fully discharged, invalidate the planning permission.

Note to Applicant: The application site lies within the garden of an existing residential property and the presence of 'made ground' and / or contaminants in the ground cannot be ruled out. Therefore we would recommend that the risks to the development be considered; including the design of the floor construction and the number / location of service penetrations. British standard BS 10175:2001 'Investigation of potentially contaminated site - Code of Practice' is a useful source of advice on site investigation. Further information and advice about developing contaminated land can be found on the Council's website or by contacting the Council's Environmental Health Team. You should also bring this matter to the attention of the Building Control Officer.

Should any information come to light during the demolition or construction works that indicates the presence, or the possible presence of, 'made ground' or of contaminated soils, then this should be brought to the attention of the Environmental Health Service. Any excavated material is to be disposed in the appropriate manner and not to be reused on site, unless proven to be 'free' from chemical contamination. Any imported material is to be tested to ensure that it is suitable for use within this development.

Note to Applicant: The following conditions have been discharged as part of the extant permission F/12/71746:

2. [Commencement]; 3 [Materials]; 4 [Construction Method Statement]; 5 [Dust Protection]; 6. [Sustainable Drainage]; 7. [Tree Protection]; 8. [Road Condition Survey - pre-commencement]; 12. [Scheme of Piling Works]; 13. [Landscape Scheme]; 15. [Details for Waste Storage and Removal].

Report:

1. This application has been referred to Committee by Councillor Hughes, Councillor Olson, Councillor Caldwell and Councillor Grajewski.

The site and its surroundings

2. The development site is formed by the rear half of a private garden serving one property on Shaftesbury Avenue. Mainly grassed with trees and shrubs, the land is now quite overgrown. The rear boundary of the plot runs along the edge of the private road that serves the Crossways.

3. The access to the site is via the Crossways, a back land development granted permission in 2004 and built shortly afterwards. Formed from the rear gardens of a number of properties along Keble Road and Shaftesbury Avenue, the development has created its own character and street scene consisting of 2-storey detached, semi-detached and terrace properties with off-road parking and rear garden areas. Access to the Crossways has been provided from Keble Road by means of a private road.

4. The proposed development forms part of the Crossways development.

Description of application

5. The application consists of one pair of 2-storey, semi-detached properties, one of which is 3-bed and the other 4-bed, with off-road parking for two cars for the 3-bed dwelling, and two parking spaces and an integral garage for the 4-bed dwelling. Both properties have private rear amenity areas.

Site area

6. The site area is 450 square metres; therefore the net residential development density is 44 dwellings per hectare. This is higher than the density across the original development of The Crossways, at 32 dwellings per hectare, as with the extant permission referred to below.

Topography

7. The site slopes up from front to back (roughly north to south) and more gradually from east to west.

Trees

8. A small number of trees will be removed in order for the site to be developed.

Relevant planning history

9. Z/40216/000/00 Erection of 30 dwellings with vehicular access from Keble Road following demolition of existing dwelling at no.34 Keble Road, permitted 27/08/2004.

10. F/12/71235 Construction of 2 no. 3 bed semi-detached dwellings with associated parking and amenity space, withdrawn 26/10/2012.

11. F/12/71746 Construction of 2 No. 3 bed semi-detached dwellings with associated parking and amenity space, permitted 23/04/2013.

The following applications are also relevant:

12. F/12/71025 Rear of 49 and 47 Shaftesbury Avenue - Erection of 2 no. 4-bed detached dwellings with associated parking, withdrawn, 26/10/2012.

13. F/12/71747 Rear of 49 and 47 Shaftesbury Avenue - Erection of 2 no. 4-bed detached dwellings with associated parking, permitted 23/04/2013.

Representations received

14. Two letters of objection has been received in relation to the current application. These has been summarised below.

15. **59 The Crossways**: The appearance of the property is significantly different to the look of the estate and will overshadow existing owners. The propose changes will increase the parking requirement whilst decreasing the available space. There are no other four-bedroom semi-detached properties in the estate. Some concern regarding the potential for flooding to property as below the level of the new properties.

16. **58 The Crossways**: The new property is not in keeping with the existing houses. The design is more imposing, appears like a single large dwelling due to the roof shape and design; and would be the most dominate building in the street. The roof shape is not in keeping with the other house of this type. The new design brings a bedroom forward which further impacts privacy.

17. The additional bedroom increases the likelihood of additional cars in an area short on parking spaces and it removes a potential space which could have had an extra car on the drive.

18. The balance of the number of 3, 4 and 5 bedroom properties will now be distorted by the building of 3 new 4 bedroom properties unlike the plans originally approved.

19. Existing properties are restricted with regards to the alterations that can be carried out. To be fair the changes and build should be considered in line with the restrictions that the tenants were expected to comply.

20. The resident goes on to question whether this application was an attempt to avoid initial objections for a larger property by applying for a smaller property originally.

Consultation responses

21. **Chandler's Ford Parish:** No objection - it is assumed that vehicle access to the site is via Crossways. The Parish Council would not wish to see access off Shaftesbury Avenue and it is assumed that access by construction vehicles will be restricted to set hours.

22. **Head of Environmental Health**: This Service has identified the above application on a recent planning list. I have reviewed the information provided and wish to make the following comments:

23. We recommend that amenity conditions regarding hours of work, dust, no burning and piling, are imposed for amenity protection reasons.

24. **Head of Transportation and Engineering**: No objection on highway grounds.

25. However, Conditions D03, E02 and E04 should be applied to the application to ensure parking is fully built out and preserved for the future. In regard to transport developer contributions, these are in line with the HCC Transport Contributions Policy, with the resulting contributions going to highway improvement schemes in the local area that will either be of benefit to the users of the development, or go towards mitigating against its highway related impacts.

26. **Head of Countryside and Recreation (Tree Services Manager):** No objection. Please use the condition applied to the earlier application.

Policy context: designation applicable to site

- Within Built-up Area Boundary
- Within Established Residential Area

Development plan policies

- Eastleigh Borough Local Plan Review (2001-2011): 34.ES, 37.ES, 59.BE, 72.H, 147.OS, 190.IN, 191.IN.
- Revised Consultation Draft Eastleigh Borough Local Plan 2011-2029: S1, S2, DM1, DM2, DM23, DM24, DM25, DM29, DM32, DM35, DM37.
- Supplementary Planning Document: Quality Places.
- Supplementary Planning Document: Planning Obligations.
- Supplementary Planning Document: Environmentally Sustainable Development.
- Supplementary Planning Document: Residential Parking Standards.

Planning policy guidance / statement

27. National Planning Policy Framework (NPPF).

Policy commentary

28. The above policies combine to form the criteria against which this application will be assessed with particular regard to highway issues, sustainability, character, trees, visual impact and residential amenity.

Comment on consultation responses

29. Due to the site's proximity to existing residents and the level of concern from these residents regarding the earlier, approved planning application, it is considered necessary and appropriate to impose the amenity conditions, as has been imposed on the planning approval, F/12/71746.

30. The Council's Engineering unit have not raised an objection. The appropriate level of parking has been provided for these units and conditions regarding retention of the parking area and garage can be imposed to ensure this remains the case.

31. Developers contributions have been sought in line with the HCC Transportation Contributions Policy; and the developer has confirmed their willingness to enter into such as commitment.

32. The previous landscape condition can be imposed as requested by the Council's Tree Services.

Comment on representations received

33. Sufficient parking has been provided off-road, in compliance with the Council's Residential Parking Standards Supplementary Planning Document and the Council's Engineering unit has raised no objection. The impact on residential amenity has been assessed as part of this application and is discussed below.

34. The mix of dwellings is considered to be acceptable, and the Council's Housing unit support the addition of new housing in the area.

35. The design of the building is discussed below; and each planning application must be considered on its own merits, in relation to the relevant local planning policies and guidance.

Assessment of proposal: Development plan and / or legislative background

36. 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

37. The principle of development has been established, through the granting of planning permission by local area committee, for the earlier application, F/12/71746.

38. The approved scheme comprised a pair of 3-bedroom semi-detached, two storey dwellings with frontage parking for two cars, an additional parking space via an attached garage for one property and private rear amenity space. The garage is set back from the front elevation and the third bedroom and bathroom occupies the first floor space above the garage. The roof is formed of a gable with the ridge orientated parallel to the street.

39. This current proposal comprises a pair of semi-detached, two storey dwellings with frontage parking for two cars and rear private amenity space. One of the dwellings remains as a 3-bedroom property and the eastern dwelling, which included the attached garage, has been increased in size to provide 4 bedrooms. The garage is retained, to provide the additional parking space required for compliance with the Council's parking standards. This has been pulled forward level with the porch, to provide more living space behind and an additional bedroom at first floor level. There has been a small set-back created at first floor to allow the mass of the roof to be broken up and the roof is now hipped, further reducing the mass. These alterations to the design result in an increase in the size of the footprint for this dwelling of 13m^2, (18.5%); and an increase in the floor area of 20.5m^2 (15%).

Layout & Design

40. 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, 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.

41. The layout of the proposed development follows the established arrangement for the existing properties in Crossways, with parking provided on the frontage and a private amenity area to the rear. The proposed dwellings are of an acceptable design and size and, whilst the roof form differs from that in the immediate vicinity, examples of hipped roofs are seen within the development and some variation in form can be of benefit to the character of an area. The fenestration details are generally reflective of that seen in the development. The spacing between the pair of semi-detached properties is a similar arrangement to that along the remainder of Crossways. The amount of rear private amenity space exceeds the minimum requirement set out in the Quality Places SPD. The residential density equates to 44 dwellings per hectare,

which is higher than the density across the existing development at 32 dwellings per hectare, however it is still in compliance with saved policy 72.H and was considered acceptable for the extant permission, F/12/71746. The proposal is not considered to be overdevelopment.

Residential Amenity

42. The residents at number 59 The Crossways have raised concerns that their privacy will be affected by overlooking from the new dwellings. As discussed when committee approved the extant permission, F/12/71746, the new properties would face onto the driveway and front rooms of these properties, as is typical of residential streets and seen along the length of Crossways. As stated in the Council's Quality Places SPD, the 'public' front of dwellings need to achieve a balance between natural surveillance of the street from inside the dwelling and reasonable privacy from passers-by. Privacy between two dwellings facing onto a road is not considered to be a significant issue.

43. The proposed dwellings will not significantly impact the residential amenity of nearby properties in terms of light, privacy or loss of outlook, as established as part of the extant permission and as required in policy 59.BE.

44. A small window has been introduced in the north east side elevation of the building, to serve the bathroom. Whilst the window is indicated as obscure glazed, a condition can be imposed to ensure the window is retained in this manner.

45. When the earlier application was brought to Local Area Committee, concern was raised regarding the potential requirement for piling on site. Following investigation, the applicant has now confirmed that piling will be required due to the poor ground condition. The method and management of the piling process was discussed in depth, prior to the applicant purchasing the site, to limit the impact on existing residents; and has been agreed. The applicant is aware of the concerns of residents and has actively worked to minimise the impact on them and their properties.

46. This site, together with the site at the rear of 49 and 47 Shaftesbury Avenue, will be monitored by the Local Planning Authority Enforcement team for the duration of the construction period.

Environmental Sustainability

47. Policy 34.ES requires proposals to ensure the most sustainable construction, minimise energy demands and maximise renewable energy generation. This policy relates closely to 37.ES which relates to maximising energy efficiency, reducing water consumption and minimising waste during construction.

48. As of January 2012, the Council's Environmentally Sustainable Development SPD requires new housing to achieve the Code for Sustainable Homes Level 4. The proposal achieves Code level 4 at pre-assessment stage, and

conditions can be imposed to ensure the properties achieve Code level 4 when constructed.

Parking and Highway Matters

49. Saved Local Plan policy 101.T relates to the generation of additional traffic on the local road network and requires the provision of contributions to transport proposals. Policies 146.OS and 191.IN relate to the provision of services and infrastructure and require the provision of contributions to mitigate the impact of development. Contributions have been sought and the applicant has agreed to enter into a unilateral undertaking.

50. It is accepted that residents consider there to be a parking issue in this development and have concerns regarding increased traffic movements and parking arrangements. However, sufficient space can be provided to accommodate the required level of car parking for each dwelling in compliance with the Council's standards as set out in the Residential Parking Standards SPD and no objection has been raised by Transportation and Engineering with regards to traffic generation.

51. At the previous committee, time was spent discussing resident's concerns regarding the potential for damage to the private roadway. Whilst this issue is not a material planning consideration, following the committee and in agreement with the then applicant, a condition was imposed which required a pre- and post-condition survey to be undertaken by the applicant and submitted to the Local Planning Authority. The pre-condition survey has been carried out and submitted, as part of the extant permission. This condition can be imposed for this application, should permission be granted.

Street Scene & Area Character

52. The proposed dwellings are of an acceptable design and size and are considered to relate well to the neighbouring properties in the Crossways. The fenestration details are generally reflective of that seen in Crossways and the spacing between properties is similar to that seen along the road.

Planning obligation /considerations

53. As set out in the Planning Obligations SPD, new housing requires contributions to be made towards services and infrastructure needed as a result of new development.

54. Developers contributions have been sought to mitigate the impact of development and enable the proposed development to meet the needs of the local community, as set out in the Planning Obligations SPD. The developer has agreed to secure the contributions through an up-front payment, should the committee decide to grant planning approval.

Other material considerations

55. The emerging local plan comprises the Revised Draft Eastleigh Borough local Plan 2011-2029. This proposed plan carries forward the requirements of the saved local plan policies listed above in the form of strategic policies S1 (sustainable development) and S2 (new development); and development management policies DM1 (general design and amenity), DM2 (environmentally sustainable development), DM23 (transport), DM24 (parking provision), DM25 (residential development in urban areas), DM29 (internal space standards), DM32 (provision of recreation and open space facilities), DM35 (community, leisure and cultural facilities), DM37 (funding infrastructure).

56. At present it carries very little weight, as it forms a pre-consultation draft. In time, as the plan moves towards adoption, the plan will carry more weight. With regards to this application, the new policies essentially echo those of the current plan and would not be considered to affect the recommendation put forward.

Conclusion

57. In light of the above discussion, the proposal is considered to comply with relevant development plan policies. The recommendation is therefore to grant permission subject to condition and receipt of developer's contributions, as set out in the report.



EASTLEIGH BOROUGH COUNCIL

Title:

Scale:
1:1250

Map Ref:
SU4319NW

Date:
25/10/2013

N

CHANDLER'S FORD & HILTINGBURY Wednesday 20 November 2013 Case Officer Tracy Payne

SITE: 127 Kingsway, Chandler's Ford, Eastleigh, SO53 5BX

Ref. F/13/73086 Received: 07/08/2013 (05/11/2013)

APPLICANT: Mr M Holmes

PROPOSAL: Construction of 1No. 5-bed and 1no. 4-bed detached dwellings with associated access, parking, cycle and bin storage and landscaping following demolition of existing dwelling.

AMENDMENTS: 22.10.13 and 23.10.13

RECOMMENDATION:

Subject to appropriate contributions being secured towards Community Infrastructure, Sustainable Transport, Public Open Space, Local Green Space and District Park/Playing Fields

PERMIT

CONDITIONS AND REASONS:

(1) The development hereby permitted shall be implemented in accordance with the following plans numbered: C13/049.01, C13/049.02, C13/049.03 rev b, C13/049.05, C13/049.06, C13/049.07, C13/049.08, C13/049.09, C13/049.10, 3143. C13/049.12 rev B Reason: For the avoidance of doubt and in the interests of proper planning.

(2) The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(3) No development shall start until the following details have been submitted to and approved in writing by the Local Planning Authority:

a) details and samples of the materials to be used in the construction of the external surfaces of the development.

b) the alignment, height and materials of all walls, fences and other means of enclosure

c) plans including cross sections to show proposed ground levels and their relationship to existing levels both within the site and on immediately adjoining land.
d) width, alignment, gradient, sight lines and type of construction proposed for any roads footpaths and accesses.
e) the provision to be made for street lighting and/or external lighting. Lighting shall be designed and located to minimise light spillage and avoid impacting on flight corridors used by bats.
f) the provision to be made for the parking of vehicles.
The development shall not be occupied until the approved details have been fully implemented. Reason: To limit the impact the development has on the locality.

(4) No development shall start until construction details have been submitted and approved in writing by the Local Planning Authority to show;
(a) junctions between different facing materials
(b) window reveals
(c) porch constuction
(d) eaves and sofits
The development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

(5) No development shall start until details for the on site provision of bin & cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the bin & cycle storage has been constructed in accordance with the approved details and thereafter retained and kept available. Reason - To ensure the adequate provision of on site facilities.

(6) No construction or demolition work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
a) a programme and phasing of the demolition and construction work, including roads, landscaping and open space;
b) location of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
c) the arrangements for the routing/ turning of lorries and details for construction traffic access to the site;
d) the parking of vehicles of site operatives and visitors;
e) measures to control the emission of dust and dirt generated by demolition and construction;
f) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
g) provision for storage, collection, and disposal of rubbish from the development during construction period;
h) measures to prevent mud and dust on the highway during demolition and construction;

i) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
j) temporary lighting;
k) protection of pedestrian routes during construction;
Reason: To limit the impact the development has on the amenity of the locality

(7) Before any equipment, materials or machinery are brought onto the site for the purposes of development, a pre-commencement site meeting between the Tree Officer, Arboricultural Consultant and Site Manager shall take place to confirm the protection of trees on and adjacent to the site in accordance with the Tree Survey and Arboricultural Method Statement dated 8th August 2013. The tree protection shall be positioned as shown on the Tree Survey and Tree Protection Plan ref: 3143, before any equipment, materials or machinery are brought onto the site for the purposes of the development. At the pre-commencement meeting the precise location of the tree protection may be required to the altered to afford greater protection to the tree. The tree protection shall be retained until the development is completed and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the written consent of the Local Planning Authority. This condition shall not be discharged until an arboricultural supervision statement, the contents of which are to be discussed and agreed at the pre-commencement meeting, is submitted to and approved in writing by the Local Planning Authority on completion of development. Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

(8) No development shall start until details for the sustainable disposal of surface water and disposal of foul sewerage from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall then accord with the approved details. Reason: To ensure satisfactory provision of foul and surface water drainage.

(9) No development shall start until a Code for Sustainable Homes level 4 interim stage certificate and sustainability report demonstrating how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' are to be met have been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'

(10) The development shall not be occupied until a Code for Sustainable Homes level 4 final stage certificate and sustainability report highlighting how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' have been met have been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure

the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

(11) No development shall start until a landscaping scheme and management plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard & soft landscaping including trees and boundary treatment and shall provide details of timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard. Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.

(12) For a period of no less than 5 years after planting, any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme. Reason: In the interests of the visual amenities of the locality.

(13) All first floor roof lights shall either be: a) non-opening and obscure glazed to Pilkingtons level 3 or equivalent OR b) positioned at least 1.7 metres above the floor of the room in which they are installed. Reason: To protect the amenity and privacy of the adjoining residential properties.

(14) The development hereby permitted shall not be occupied until the parking areas have been provided in accordance with the approved plans and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles incidental to the enjoyment of the dwelling house as a residence. Reason: To make provision for off street parking for the purpose of highway safety.

(15) No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process. Reason: To protect the amenities of the occupiers of nearby properties.

(16) No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings.

Note to Applicant: It is considered that, subject to compliance with the conditions and any obligations attached to this permission, the proposed development is acceptable because it will not materially harm the character of the area, the amenity of neighbours or highway safety and it is in accordance with the policies and proposals of the development plan, comprising the Eastleigh Borough Local Plan Review [2001-2011], and after due regard to all other relevant material considerations including the National Planning Policy Framework and the emerging Revised Draft

Eastleigh Borough Local Plan [2011-2029] the local planning authority is of the opinion that permission should be granted.

The following development plan saved policies and emerging draft local plan policies are relevant to this decision and the conditions attached to it:

Eastleigh Borough Local Plan Review 2001-2011, saved Policies 28.ES, 59.BE, 72.H, 100.T, 101.T, 104.T, 147.OS, 191.IN

Revised Eastleigh Borough Local Plan 2011-2029 Policies DM1, DM2, DM23, DM24, DM25, DM29, DM32, DM35, DM37

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Under the Town and Country Planning [England] Regulations 2012, a fee is now required for Discharge of Condition Applications. N.B. Conditions not fully discharged, invalidate the planning permission.

Note to Applicant: The application site falls within Flood Zones 2 and 3 and therefore the Environment Agency's Standing Advice should be followed. For further information please visit: http://www.environment-agency.gov.uk/research/planning/82584.aspx

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Report:

This application has been referred to Committee by Councillors Olsons, Caldwell, Grajewski, and Hughes.

DESCRIPTION OF APPLICATION

1. The proposed development consists of the following elements:

   - Demolition of existing dwelling, garage, and outbuildings
   - Construction of 1No. 5-bed chalet style house
   - Construction of 1no. 4-bed detached dwellings

2. Both with associated access, car parking, cycle and bin storage and landscaping.

THE SITE AND ITS SURROUNDINGS

3. The application site falls to the west of Hiltingbury Road within Kingsway, a residential street that has no strong or cohesive character. The area is made up of a mixture of bungalows and two storey properties of different ages that are all different in their scale, form, design, and siting.

4. The site itself contains a detached hipped roofed bungalow on a large corner plot with an attached garage. The property is set back from the road by a generous driveway and front garden area. To the side and wrapping round to the rear is a mature garden containing various varieties of trees and hedges which provide abundant screening from the road and neighbouring properties.

SITE AREA

5. 1263.4sqm/0.126ha

RESIDENTIAL DEVELOPMENT (NET)

6. The proposal equates to a density of approximately 16 dwellings per hectare which is very close to the existing housing density of the surrounding area.

TOPOGRAPHY

7. The road slopes gently in a southerly direction and the site slopes away from the site in an easterly direction.

TREES

8. TPO2/A1 – All tree species in the area.

BOUNDARY TREATMENT

9. The site is very well screened with matures trees and hedging to all boundaries. It is almost completely obscured from view in Thornbury Wood.

RELEVANT PLANNING HISTORY

10. Various tree applications.

REPRESENTATIONS RECEIVED

11. 12 letters of objection have been received raising the following issues and objections:

- Proposed access directly opposite Grosvenor Road and close to Thornbury wood would result in the access being dangerous
- Kingsway/Thornbury Wood junction has poor visibility and will proposal will exasperate this
- Overdevelopment of the site
- Massing of dwellings inappropriate
- Large and cramped layout
- Frontage of 4 bed house too narrow
- Not in keeping with the surrounding area
- Design alien to street scene
- Plot sizes and amenity space inconsistent with the size of property and others in the street
- Slate roof inappropriate
- Location of bathroom in dwelling 1 dangerously located
- 5 bed house located too close to boundary with No.129 and will be visually intrusive
- Roof lights and balconies will allow overlooking into No.129
- Rear windows will overlook No.1 Thornbury Wood and will result in loss of privacy
- Detrimental impact on neighbouring properties
- Bats appear to be present in roof
- Due to age of property there may be asbestos
- Flooding in Thornbury Wood could be made worse by proposal
- Removal of trees will exacerbate flooding and no mitigation for removed trees
- The silver birch tree within the rear garden area is within the boundary of No.127 who is responsible for upkeep
- Removal of Yew and Hazel at front of site is welcomed.

CONSULTATION RESPONSES

12. **Chandlers Ford Parish Council** - No objection to construction. It is noted that visibility for vehicles exiting right out of Thornbury Wood and naturally these two properties is not easy and is not improved by parking of vehicles using the nursery on Kingsway south of the proposed site. Whilst parking along Kingsway is not necessarily a material fact in considering this property it was mentioned at the meeting.

13. **Head of Transportation and Engineering** - No objection in principle. Amendments to parking arrangements and front set backs/landscaping ensure that any minor issues of safety (considering the access is opposite Grosvenor Road) with flows and conflict issues are fully

minimised and improve sight lines and safety of occupants of both the new dwellings and Thornbury Wood.

14. Developer Contributions: As new build dwellings, in line with the HCC Transport Contributions Policy, there will be a need for transport developer contributions due to the anticipate increase in multimodal trips that the two dwellings will bring.

15. **Coyuntryside and Trees** - No objections subject to appropriate conditions requiring compliance with the Arboricultural Method Statement.

16. **Biodiversity Officer** - We have no records to indicate a bat roost is present at this property. However, in line with our biodiversity policies our recommended course of action is that the applicant should undertake a day time bat roost assessment (which can be carried out any time of year), and if necessary an appropriate mitigation scheme should be submitted to support this application.

POLICY CONTEXT: DESIGNATION APPLICABLE TO SITE

- Within Built-up Area Boundary
- Within Established Residential Area
- Parts of the site fall within Flood Zone 2 and 3
- Chandlers Ford & Hiltingbury Character Area - Kingsway

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SUPPLEMENTARY PLANNING DOCUMENTS

17. Eastleigh Borough Local Plan Review (2001-2011):
    - 28.ES (Waste Collection/Recycling),
    - 43.ES (Flooding and Erosion)
    - 59.BE (Development Criteria)
    - 72.H (Density)
    - 100.T (Minimise Travelling)
    - 101.T (Infrastructure Contributions)
    - 104.T (Parking)
    - 147.OS (Public Open Space)
    - 191.IN (Social Infrastructure)

18. Revised Draft Eastleigh Borough Local Plan 2011-2029:
    - DM1 (Development Criteria)
    - DM2 (Sustainable Development)
    - DM4 (Flood Risk)
    - DM23 (Transport)
    - DM24 (Parking)

- DM25 (Residential Development)
- DM29 (Internal Space Standards)
- DM32 (Public Open Space)
- DM35 (Community Infrastructure)
- DM37 (CIL/S106)

19. Supplementary Planning Guidance/Documents:
    - Supplementary Planning Guidance: Quality Places
    - Supplementary Planning Document: Planning Obligations
    - Supplementary Planning Document: Environmentally Sustainable Development
    - Supplementary Planning Document Residential Parking Standards

NATIONAL PLANNING POLICY FRAMEWORK

20. National Planning Policy Framework highlights 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" (para 56) and goes on to state that decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development (para 58).

21. Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk (para 94). The NPPF goes on to recommend that when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures (para 99) and that where development is necessary, making it safe without increasing flood risk elsewhere (para 100) is important.

COMMENT ON CONSULTATION RESPONSES/REPRESENTATIONS RECEIVED

22. All comments and representations are noted and addressed, as necessary within the main considerations section below.

ASSESSMENT OF PROPOSAL: DEVELOPMENT PLAN AND / OR LEGISLATIVE BACKGROUND

23. 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."

24. Saved Policy 59.BE of the Local Plan and emerging Policy DM1 of the Revised Draft Eastleigh Borough Local Plan both require 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.

Principle

25. The application site lies within the urban edge and within an established residential area where the principle of development is acceptable, with any formal approval being dependant on the details and impacts of the proposal being considered acceptable, as set out below.

Layout/Design and its impacts on the Street Scene

26. The area is residential in nature and is made up of a mixture of bungalows and two storey properties of different ages, scales, form, design, and siting. The strong characteristic that pulls this varied street scene together is low density of housing (14 dwellings per hectare) coupled with the deep set back of properties which creates a wide and open feel to the area. Trees and hedges within front garden areas and as a backdrop also feature heavily and add to the green leafy nature of the street.

27. Neighbours have raised concern with the overdevelopment, massing, and cramped layout, lack of frontage, and that the design is alien to the street and wider area however this is not an opinion supported by officers.

28. The proposal equates to a density of approximately 16 dwellings per hectare which is very close to the existing housing density of the surrounding area. As set out below, the proposal conforms with policy requirements in terms of providing adequate bin/cycle storage, car parking, and amenity space and overall is not therefore considered to be an over development of the site.

29. The proposed properties have similar settings to other properties in this section of Kingsway with a generous landscaped set back from the road and circulation space between each property which creates adequate separation and setting to be achieved.

30. The rear private garden areas far exceed the 60% floor space to garden area policy requirements. The garden for the five bed house is 220sqm, equivalent to 91% floor space to garden and plot 2 having a

wrap around garden in the region of 250sqm equates to 133% ratio. The plot size to garden ratio is therefore considered acceptable and is easily comparable to other properties within the vicinity of the site.

31. The properties themselves are undeniably modern in their design and appearance and will feature brick and rendered walls containing grey framed windows and a slate roof. Whilst this is a new form of house to the area, given the vastly varied street scene and pallet of materials used it is felt that the proposed properties will assimilate well.

32. Although two storey properties, they appear relatively low key. The dwellings have been sited to follow the general topography of the road and are have tapered front boundary to open up site lines from Thornbury Wood.

33. On balance, not withstanding the proposal being a new form of housing to the street it is considered to comply with all policy requirements, is appropriate in its layout and design and is not considered to have a detrimental impact on the street scene. Although the site will become more visible the retention of many trees and the addition of reinforced boundary screening and landscaping will ensure it assimilates well to its surrounding.

Residential Amenity

34. The proposed development, as noted above is considered appropriate in its scale, form, and design.

35. Being two storey in nature, the scale and form of the proposed properties will be significantly different to the existing bungalow. The existing garage and outbuilding are currently built up to the boundary with the closest neighbour No.129. These buildings will be replaced by a two storey house which although taller and deeper than the existing structures will have low eaves and a steep pitched roof that slopes away from No.129. During the life of the application the siting of the proposed properties have been altered to pull the 5 bed property away from the boundary with No.129 and is now set 4m from the side elevation of No.129. This has created more separation between buildings, allowed for greater landscaping, and reduces the visual dominance of the new house and does not reduce any light to the secondary window in the side of No.129.

36. Due to the orientation, treed boundaries, and siting of the proposal in relation to its other immediate neighbours in Thornbury Wood the proposal is not considered to result in any loss of light, dominating or overbearing impacts.

37. It is acknowledged that the proposal introduces windows at first floor level, both front and back and that rear juliet balconies are also

proposed on both properties. It is generally accepted that views from first floor bedroom windows of adjoining rear gardens are a common feature of urban development and do not give rise to undue loss of privacy, mainly because bedrooms and gardens are normally in use at different times of the day. Due to the siting of these properties in relation to their neighbours there will inevitably be opportunities for an element of overlooking into neighbouring gardens however views will be directed to the rear of the garden areas or will be obstructed by boundary trees and screening and are not therefore considered to result in a detrimental overlooking or loss of privacy.

38. In addition first floor side roof lights are proposed. These appear to be sufficiently placed within the roof that they will not result in any overlooking however a condition is recommended that they are placed a minimum of 1.7m above the floor level of the room they serve or are fixed shut and obscure glazed to ensure no loss of amenity is incurred.

39. In view of the above the proposal is not considered to result in any detrimental loss of amenity.

Access/Parking

40. This site lies on a section of Kingsway with a long slightly curving horizontal alignment and downhill vertical alignment. The curvature of the road is such that sight lines from the Thornbury Wood junction are currently compromised by the bowed front boundary along 127 Kingsway. Amended plans that show the frontage boundary set further back in a splay from the Thornbury Wood road end all along the Kingsway frontage to the northern site boundary and this improves sight lines and safety of occupants of both the new dwellings and Thornbury Wood. In view of this it is considered that the proposal improves highway safety.

41. Saved Policy 100.T and emerging policy DM23 expects development to be sited close to, or well served by, public transport, cycling and walking. The site is within the urban edge, minutes of a regular bus service, cycle routes and is accessible by foot. The site is therefore considered to be adequately accessible.

42. Saved Policy 104.T and emerging policy DM24 states permission will only be granted for development that provides adequate off-highway parking provision and our Parking Standards SPD supports this. In line with the EBC Parking Standards, the proposals requires 3 spaces per 4+ bed property. Both proposed properties conform to the EBC parking Standards and provide additional spaces to those required and so will be able to accommodate a level of on-site visitor parking which is welcomed.

43. The parking layout for both properties allows for on-site turning and as such a forward gear access and egress is possible. This will ensure that any minor issues of safety (considering the access is opposite Grosvenor Road) are fully minimised, with flows and conflict issues minimised. Overall the proposal complies with policy requirements.

44. Saved and emerging policies along with the parking standards SPD also requires the provsion of appropriate and sufficent cycle storage. The plans indicate that a cycle store will be located within the private garden areas of each property. Whilst I am satisfied that the location and sizes of the stores are appropriate exact details and means of enclosure have not been provided and therefore this detail is required by condition.

Trees

45. All trees in the area are covered by a blanket Tree Preservation Order and therefore an arboricultural method statement has been submitted. This shows that several low quality trees are to be removed. This includes a cherry tree to the rear, a sweet chestnut close to the south west corner of the site and a Yew and Hazel on the boundary with No.129. All trees of a moderate or high quality are to be retained. Trees on neighbouring land will also obviously be retained ensuring the boundary screening is not compromised. Overall the Arboricultural Method Statement is generally considered acceptable and a condition has been added to ensure the development accords with this.

Flood Zone

46. The majority of the site is not within a flood zone however the extreme edges of the site along the south east boundary fall within flood zones 2 and 3. In view of this and as the site is less than 1ha in area it has not been necessary to consult the Environments Agency on these proposals.

47. It is noted that neighbors have reported localized flooding as a result of a stream re-establishing its original route and that due to the topography of the land there is some run off from the site onto neighboring land. Whilst we acknowledge this problem the proposed dwellings do not fall within the flood zone. The proposed dwellings occupy approximately the same area (213sqm) of land as the existing bungalow and out buildings (238sqm) and all areas that are within the flood zone are to remain as garden. Furthermore it has been confirmed that the Floor levels within the proposed development will be set no lower than existing levels AND, flood proofing of the proposed development has been incorporated where appropriate, as is advised by the Environments Agency.

48. It is not the responsibility of this development to resolve the flooding issues in the local area and in view of the above it is not considered that the proposed new dwellings will increase or exasperate the existing flooding issues in the local area nor will it increased number of people exposed to the risk of flooding.

49. A note to applicant is however recommended as a reminder of the requirements of the Environments Agency Standing Advice. In addition, as advised within the NPPF conditions are also recommended to secure details of levels, surface/foul water drainage, and details of landscaping to ensure surface water run off and the risks of flooding are managed within the site through suitable adaptation measures.

Landscaping

50. The plans show areas of soft landscaping throughout the site. Landscaping is highly important, not only to retain the 'green and leafy' nature of this site but also to ensure adequate screening from the street and neighbouring properties. There are also large areas of hard standing to the front of the properties for car parking. These areas need to be an integral part of the development to ensure they do not become appropriately and therefore a condition is recommended to secure specific details of the proposed hard and soft landscaping, along with details of implementation and management over a five year period.

Refuse Collection

51. Saved Policy 28.ES, emerging policy DM1, and the Quality Places SPD requires adequate provision of waste disposal/bins to be provided. The plans indicate that bin storage will be located within the private garden areas of each property. Whilst I am satisfied that the location and sizes of the stores are appropriate exact details and means of enclosure have not been provided and therefore this detail is required by condition.

Sustainability

52. In accordance with emerging Policy DM2 new dwellings are required to meet the requirements of our Environmentally Sustainable Development SPD. The applicant has submitted a pre-assessment estimator which demonstrates the development is capable of achieving Code Level 4, which was appropriate at the time of receipt of the application. Conditions are recommended to secure design stage and

Other Matters

53. Due the close proximity of the proposal to residential properties, the possible presence of asbestos, and given the high likelihood of disturbance during development a condition have been applied to require a construction management plan to deal with matters such as

timings of work, parking, dust, noise, compound and materials storage locations, lorry routing. A condition relating to hours of work and burning have also been added, all to ensure we have adequate control to protect residential amenity.

54. A neighbour has indicated that the existing bungalow may support roosting bats. We have no records to indicate a bat roost is present at this property. A day time bat roost assessment has been carried out and this also confirms that bats are not present on the site.

PLANNING OBLIGATION /CONSIDERATIONS

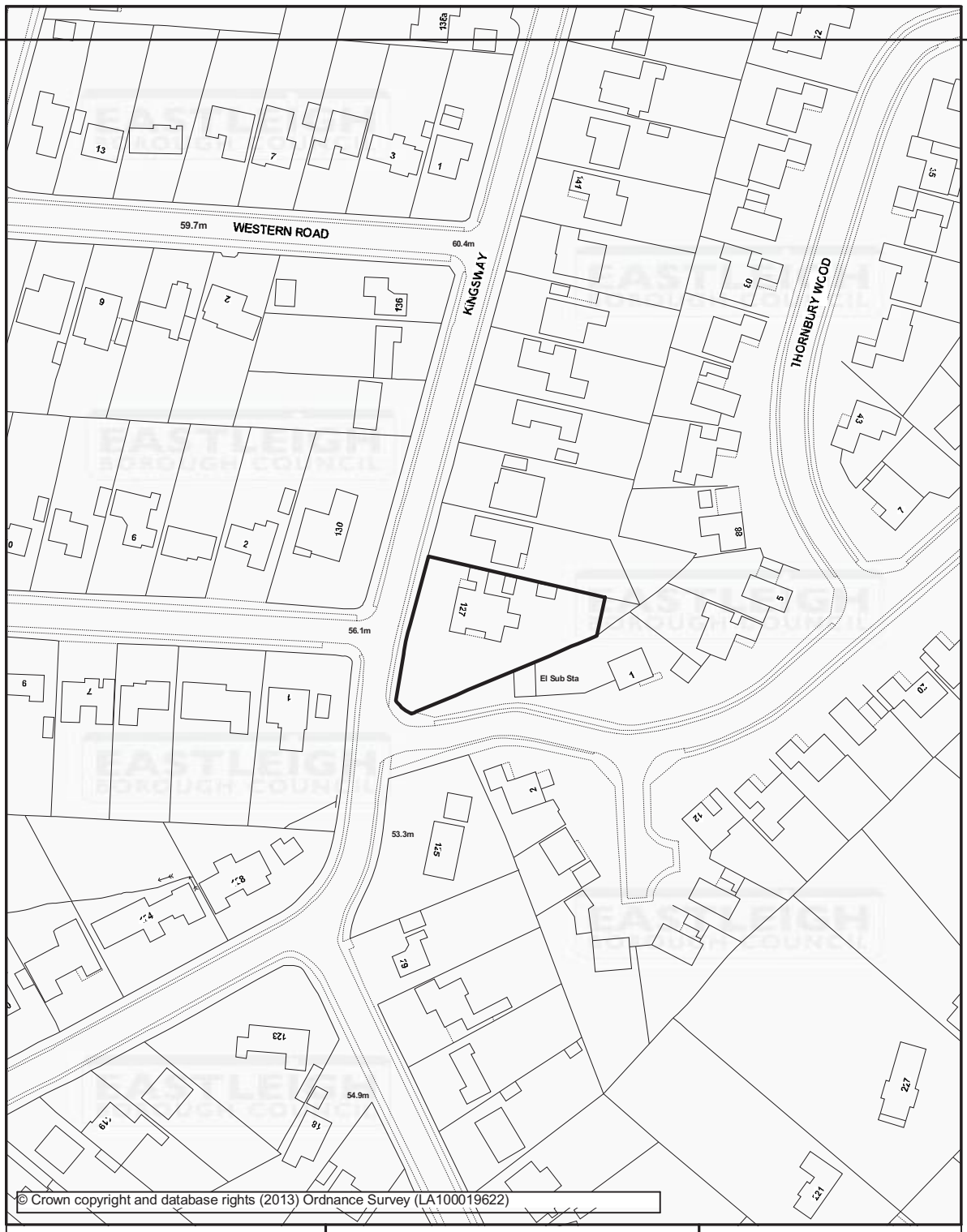
55. In accordance with the provisions of Community Infrastructure Levy Regulations 2010, objectives of the National Planning Policy Framework, saved policies 101.T, 147.OS and 191.IN of the Eastleigh Borough Local Plan Review 2001-2011, Revised Draft Eastleigh Borough Local Plan 2011-2029: DM23, DM32, DM35, DM37, and supplementary planning document, Planning obligation contributions are sought to offset the impact of the development on local infrastructure. Planning obligation contributions are sought to offset the impact of the development on local infrastructure. For this development contributions are sought towards Community Infrastructure, Sustainable Transport and Public Open Space. The applicant has agreed to secure the contributions through a unilateral undertaking following resolution to permit.

OTHER MATERIAL CONSIDERATIONS

56. Also of relevance is the Revised Draft Eastleigh Borough Local Plan 2011-2029. 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.

CONCLUSION

57. In view of the above this application is considered to comply with the requirements of saved and emerging policies and is therefore recommended for approval subject to conditions.



EASTLEIGH BOROUGH COUNCIL

Title:

Scale:
1:1250

Map Ref:
SU4422SE

Date:
25/10/2013

CHANDLER'S FORD AND HILTINGBURY LOCAL AREA COMMITTEE

Wednesday 20 November 2013

FEES AND CHARGES

Report of the Head of Financial Services

RECOMMENDATIONS

It is recommended that the Local Area Committee approves the increase to the Cemeteries fees and charges shown in appendix A with effect from 1 April 2014.

Purpose

Fees and charges for Council services are reviewed on a regular basis. In accordance with the Budget Strategy approved by Cabinet in July 2013, fees and charges levied by the Council are being reviewed with the intention of increases being introduced with effect from January 2014 where possible. Following a Cabinet decision in September 2012 a number of fees and charges are now to be set by Local Area Committees and these are the subject of this report. .

Statutory Power
Section 151 of the, Local Government Act 1972

Introduction

1. The purpose of this report is to examine the effects of income received by the Council with regard to fees and charges levied for services that are the responsibility of Chandler's Ford LAC. In setting the Budget Guidelines, the Cabinet has approved, in accordance with the Medium Term Budget Strategy, a minimum increase in yield of 4.0% for all fees and charges to be implemented from January 2014 where possible.

2. Following a Cabinet decision in September 2012 a number of fees and charges are now to be set by Local Area Committees and some of these are the subject of this report.

Cemeteries

3. The Service Manager has recommended increasing the fees and charges for Cemeteries as shown in Appendix A. It is estimated that the fees and charges would generate £76,900 for Chandler's Ford and Hiltingbury Local Area Committee in 2014/15.

Outdoor Sports Facilities

4. The transfer of the playing fields to Chandler's Ford Parish Council in April 2014 means that the Parish Council will be responsible for setting the fees and charges for the Outdoor Sports Facilities for 2014/15 onwards.

Risk Management

5. The policy of increasing charges for services at a level of 1.0% above inflation as measured by RPIX is part of the Council's approved Budget Strategy. There is a risk that proposed charges will not yield the overall anticipated 4.0% additional income target for the Budget but this will be monitored closely during the quarterly Corporate Budget Monitoring processes throughout the year.

Equality and Diversity Implications

6. Any service equality and diversity implications will have been considered by Heads of Service as part of their Service Planning processes. No equality and diversity implications have been identified.

Conclusion

7. A review of the local area committee fees and charges has been undertaken and where possible the review reflects the Budget requirement to achieve a 4.0% increase in yield.

MARTIN MURPHY
Head of Financial Services

Civic Offices
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Report No:	fs472
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Appendices:	1

LOCAL GOVERNMENT ACT 1972 – SECTION 100D

The following documents disclose facts or matters on which this report or an important part of it is based, and have been relied upon to a material extent in the preparation of this report – Nil.

Cemeteries	1st April 2013	Proposed % Increase	Actual Increase	Proposed Charge 2014	Comments
Internment:-					
All charges inclusive of VAT where applicable					
Child less than 12 years old (including still born)	No charge				
Single depth	790	4.05%	32	822	
Double depth	1,005	4.48%	45	1050	
Re-open to single depth	852	3.99%	34	886	
Cremated remains	262	4.20%	11	273	
For right to scatter ashes	69	4.35%	3	72	
Additional charge for providing a 24 hour burial service	437	4.12%	18	455	
Exhumation	At Cost				
Additional Charge for Weekend WorkingOr late funerals incurring overtime	165	4.24%	7	172	
Plot in Columbarium (includes purchase and rights for inscribed plaque and first interment)	669	4.04%	27	696	
Exclusive burial rights: - 30 years					
Plot selected by Council (purchased at time of burial):-					
Plot for Adult	695	4.03%	28	723	
Plot for Child	393	4.07%	16	409	
Plot for Cremated remains	279	4.30%	12	291	
Memorials:					
Inscribing vase under 10”	73	4.11%	3	76	
Any memorial (includes memorial licence for 10 years)	296	4.05%	12	308	
Charges for additional inscription	66	4.55%	3	69	
Licence to have memorial for further 10 years	104	3.85%	4	108	

Memorial shrubs or roses for 7 years	131	4.58%	6	137	
Memorial trees for 7 years	At Cost			At Cost	
Memorial benches for 7 years	At Cost			At Cost	
Memorial benches for additional 7 years	68	4.41%	3	71	

CHANDLER'S FORD & HILTINGBURY LOCAL AREA COMMITTEE

Wednesday 20 November 2013

ALLOCATION OF DEVELOPERS' CONTRIBUTIONS

Joint Report of the Head of Transportation & Engineering with the Head of Development Control and Head of Financial Services

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RECOMMENDATIONS

It is recommended that this Committee approve:

(1) The prioritisation of TSI 690 – Winchester Road / Hiltingbury Road, Chandler's Ford junction improvements as High given the details of the scheme provided in this report and shown in Appendix 1;

(2) The prioritisation of TSI 718 – St Swithun Wells RC Primary School, Chandler's Ford School Travel Plan measures as High given the details of the scheme provided in this report and shown in Appendix 2; and

(3) The Allocation of Developers' Contributions held within this Committee's Community Investment Programme (CIP) for feasibility and implementation of prioritised transport schemes, as listed in Appendix 3.

Summary

Firstly, it is requested that this Committee approve the following Transport Scheme Inventory (TSI's) as a high priority schemes, in order to allocate developers' contributions towards undertaking / reviewing feasibility studies and potential works aimed at improving the associated highway infrastructure:

TSI 690 – Winchester Road / Hiltingbury Road, Chandler's Ford junction improvements and TSI 718 - St Swithun Wells RC Primary School, Chandler's Ford School Travel Plan measures.

Member prioritisation of these schemes and subsequent approval of associated Developers' Contributions will assist in potentially getting improvement works undertaken.

Secondly, following the approval and prioritisation of local highway priorities that have been previously agreed by this Committee and Member consultation at the Chandler's Ford & Hiltingbury Local Area Committee Members' Meetings, The Head of Transportation & Engineering and the Head of Development Control, in consultation with County officers, have matched Developers' Contributions with local transport schemes. These contributions consist of those currently unallocated; residual amounts remaining from completed schemes; and the reallocation of contributions allocated to schemes found to be unfeasible at this stage.

Once all or part of the funding is identified, priority transport schemes can be progressed to feasibility and costed. Implementation will depend on successful detailed design and assembling sufficient capital contributions either from Eastleigh Borough Council or Hampshire County Council receipts and when schemes are below £25,000 in value they will proceed using delegated powers.

These receipts against schemes will be monitored by The Head of Financial Services.

Statutory Powers

Section 1, Localism Act 2011.

Introduction

Scheme Prioritisation

1. The approval sought from this Committee relates to the prioritisation of TSI 690 and TSI 718, and the release of unallocated Developers' Contributions held by Eastleigh Borough Council (EBC) to fund local transport schemes.

2. TSI 690 relates to the junction of Winchester Road / Hiltingbury Road, Chandler's Ford, and improvements that would assist in the safer use of the junction.

3. A standard priority junction, it is located towards the north eastern edge of Chandler's Ford in a large residential area in close proximity to Thornden Secondary School.

4. Vehicle (Winchester Road and Hiltingbury Road) and pedestrian (Hiltingbury Road in particular) movements are relatively high, and the existing ghost island layout can be obstructive to the flow of traffic in the vicinity.

5. It is proposed that a review of the 2004 Atkins feasibility study is undertaken to assess potential improvement measures against current highway standards, and if Members are minded to prioritise the above mentioned scheme as High, subsequent contributions allocated to the scheme will enable officers to undertake this work and onwards potentially undertake implementation.

6. TSI 718 relates to St Swithun Wells RC Primary School, Chandler's Ford, and improvements to the existing cycle shelter and pedestrian safety improvements in order to encourage the use of sustainable transport to and from the site.

7. In regard to the cycle shelter, this was installed approximately four years ago and has seen increased levels of use throughout the period. However, though closed at the sides, the style of shelter is open at the top. At the time of implementation this was not considered an issue, however following the theft of a bicycle from the locked shelter with access gained via the open roof, this

is now considered a security risk and is reducing the potential of some pupils riding their bicycles to school.

8. An add-on roof section is available from the manufacturers, and it is proposed that this is purchased and fitted as part of this scheme.

9. The second element of the scheme relates to pedestrian crossing improvements, through the introduction of knee rail sections on the grass verge fronting the school adjacent to the keep clear yellow zig-zags.

10. The formal pedestrian crossing point for Hillcrest Avenue is located in the mid-section of the zig-zags, but unfortunately some parent / carers are choosing to drop-off in this location. This reduces pedestrian visibility, increasing the danger of crossing the road in close proximity to a junction.

11. The introduction of knee rail sections will reduce the convenience of a vehicle stopping at this location, as the near side doors will not be able to be opened over the grass verge. Additionally, a decamping passenger will be forced to walk around the knee rail, making it a less convenient option for drop-off.

Developer Contribution Allocation

12. Finally, the approval sought from this Committee also relates to the allocation of Developers' Contributions held by EBC to fund local transport schemes

13. Eastleigh Borough Council holds Developers' Contributions up to a value of £10,000 and contributions greater than £10,000 are held by Hampshire County Council (HCC). The matching process has aimed to make use of the smaller contributions held by Eastleigh Borough Council in order to progress transport schemes, topped up and in conjunction with additional Developers' Contributions held by HCC. This has required close partnership working with HCC, which has benefited from having an agreed list of prioritised transport schemes as listed in the Transport Scheme Inventory (TSI), which has been prioritised by Members of this Committee.

14. The local transport schemes that are being considered for the funding by EBC held Developers' Contributions are, in the main, those that were given high priority by Members. Consideration has also been given to the ease of implementation, other funding sources available (HCC held funds) and ensuring the Developers' Contributions are being used appropriately.

15. With funding approved, schemes can be programmed for feasibility and progress to implementation where appropriate, benefiting from more efficient implementation processes that Hampshire County Council has developed.

Financial Implications - Capital

16. Where there is a capital shortfall in available contributions a proposed project may be topped up with funds allocated from this Committee's Reserves, the CIP, grants, joint funding sources or HCC capital or minor works programmes, if it can be demonstrated that the scheme still offers value for money.

Financial Implications - Revenue

17. None. Any schemes completed on the highway will be adopted by the County Council for on-going maintenance and costs.

Monitoring and Implementation

18. Subject to the approval of allocations in Appendix 3, the Head of Financial Services will set up a separate monitoring process for the committees' local transport schemes. Each scheme will be allocated its own project reference and budget, which can be used for feasibility and detailed design. Once schemes are designed and fully costed HCC may be invited to contribute additional funding where available and appropriate.

Risk Assessment

19. Many of the schemes listed will need detailed feasibility to identify the exact cost and implementation issues including local consultation, all of which poses a risk to delivery.

Equality and Diversity Implications

20. It is anticipated that the implementation of the prioritised local transport schemes listed in Appendix 3 will ultimately produce very practical improvements to local highway infrastructure for all user groups.

Conclusion

21. The approved funding allocations will ensure the Borough Council, in partnership with Hampshire County Council, has a forward programme of feasibility and implementation, which consists of local transport schemes prioritised by this Committee.

ED VOKES
Head of Transport and Engineering

CAROLINE THOMAS
Head of Development Control

MARTIN MURPHY
Head of Financial Services

Date:	11 November 2013
Contact Officer:	Matt Grantham
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e-mail:	matt.grantham@eastleigh.gov.uk
Appendices Attached:	**Appendix 1:** TSI 690 – Winchester Road / Hiltingbury Road, Chandler's Ford junction improvements; **Appendix 2:** TSI 718 - St Swithun Wells RC Primary School, Chandler's Ford Travel Plan measures; and

Appendix 3: Allocation of Developers' Contributions to prioritised local transport schemes.

Report No: EN1207

LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information.

None.

TSI 690 – Winchester Road / Hiltingbury Road, Chandler's Ford junction improvements







The scheme aims to improve both the capacity and safety of the junction.

The current junction layout is a standard right turning ghost island, however this makes it difficult for vehicles turning right out of Hiltingbury Road as this route is often blocked by queuing vehicles turning right into Hiltingbury Road.

Subject to a high prioritisation for the scheme by members, and subsequent approval for the utilisation of Developer Contributions, the initial element of the scheme will be to undertake a review of the 2004 Atkins feasibility study, ensuring potential feasibility junction designs conform to current standards, and reviewing elements such as underpass closure remain valid.

Dependant on the outcome of this study, and subject to additional funding, onwards will be the eventual implementation of the junction improvement scheme.

TSI 718 - St Swithun Wells RC Primary School, Chandler's Ford Travel Plan measures






The scheme aims to promote sustainable travel modes to and from the site through improvements to the existing cycle shelter provision, and improvements to the existing pedestrian crossing point on Hillcrest Avenue.

The provision of a cycle shelter roof will assist in the security of bicycles stored in the shelter during the day (and potentially in some cases overnight) and so assist in the promotion of cycling to school as a viable alternative to the car.

Additionally, Knee rails are proposed adjacent to the keep clear yellow zig-zag markings to make it less convenient for passengers to exit vehicles at this point, and onwards reduce occurrences of vehicles parking on the zig-zags. This parking reduces visibility for both pedestrians crossing at the formal drop-kerb, and for drivers utilising Hillcrest Avenue.

Subject to a high prioritisation for the scheme by members, and subsequent approval for the utilisation of Developer Contributions, the scheme will be fully drawn up and priced.

Subject to the availability of full funding, onwards will be the eventual implementation of the proposals.

Appendix 3

Agreement	Title	Amount	Allocate to	Description	Members Priority	EBC Transport Funds Already Allocated to Scheme	Additional Comments
TR F/09/66145	Bernard Chill & Axtell, 117 Chalvington Road, Chandler's Ford	£6,588.16	TSI 124	Leigh Road (close to Falkland Road) pedestrian refuge	High	£7,108.70	The Developer Contribution is currently unallocated
TR R/06/58815	Hendy Ford Development, Bournemouth Road, Chandler's Ford	£66.05	TSI 231	Brickfield Lane cycle route (Phase 2 – Bournemouth Road crossing)	High	£46,022.56 (plus HCC contributions)	The Developer Contribution is allocated to TSI 456 (Leigh Road / Chalvington Road / School Lane signal upgrades – now complete
TR Z/07183/007/00	Mr & Mrs Beal, 2 Bournemouth Road, Chandler's Ford	£1,289.11	TSI 231	Brickfield Lane cycle route (Phase 2 – Bournemouth Road crossing)	High	£46,022.56 (plus HCC contributions)	The Developer Contribution is allocated to TSI 456 (Leigh Road / Chalvington Road / School Lane signal upgrades – now complete
TR 26615/6	Devine Homes plc., land adj. 35 Hursley Road, Chandler's Ford RTRA	£1,447.57	TSI 231	Brickfield Lane cycle route (Phase 2 – Bournemouth Road crossing)	High	£46,022.56 (plus HCC contributions)	The Developer Contribution is allocated to TSI 483, Hursley Road pedestrian crossing improvements close to the railway. No additional improvements can be made at this stage.
TR F/07/59960	Mr A Gauntlett, Stewart House, Sycamore Avenue, Chandler's Ford	£2,048.46	TSI 534	Ashdown Road junction with Hiltingbury Road junction (pedestrian refuge)	High	£8,708.07	The Developer Contribution is currently allocated to TSI 626 Pine Road link street lighting which has now been implemented under the PFI
TR F/12/70668	Mr Andrew Morris, 120 park Road, Chandler's Ford	£6,329.84	TSI 690	Winchester Road / Hiltingbury Road junction improvements	Not yet prioritised	None	The Developer Contribution is currently unallocated

Agreement	Title	Amount	Allocate to	Description	Members Priority	EBC Transport Funds Already Allocated to Scheme	Additional Comments
TR F/12/71216	Mr Alf Pink, 82 Lakewood Road, Chandler's Ford	£6,343.67	TSI 690	Winchester Road / Hiltingbury Road junction improvements	Not yet prioritised	None	The Developer Contribution is currently unallocated
TR 51464	Wimpey re: Former Simpkins Garage & 121-123 Pine Road, Chandler's Ford	£5,494.57	TSI 690	Winchester Road / Hiltingbury Road junction improvements	Not yet prioritised	None	The Developer Contribution is currently allocated to TSI 626 Pine Road link street lighting which has now been implemented under the PFI
TR 3166/8	Dr Ezad, 30 Valley Road, Chandler's Ford	£222.74	TSI 718	St Swithun Wells RC Primary School - Cycle shelter improvements and pedestrian safety measures to promote sustainable travel to school	Not yet prioritised	None	The Developer Contribution is currently unallocated
TR F/11/69052	Mr P Ross-Burns, 120 Park Road, Chandler's Ford	£137.81	TSI 718	St Swithun Wells RC Primary School - Cycle shelter improvements and pedestrian safety measures to promote sustainable travel to school	Not yet prioritised	None	The Developer Contribution is currently unallocated
TR F/07/60634	Lainston Homes, Land Adj. Fordington Villas, Chandler's Ford	£782.64	TSI 718	St Swithun Wells RC Primary School - Cycle shelter improvements and pedestrian safety measures to promote sustainable travel to school	Not yet prioritised	None	The Developer Contribution is currently unallocated
TR 31164/1	Springstar Developments Re. 19 Mead Road, C Ford	£522.29	TSI 718	St Swithun Wells RC Primary School - Cycle shelter improvements and pedestrian safety measures to promote sustainable travel to school	Not yet prioritised	None	The Developer Contribution is allocated to TSI 456 (Leigh Road / Chalvington Road / School Lane signal upgrades – now complete

Agreement	Title	Amount	Allocate to	Description	Members Priority	EBC Transport Funds Already Allocated to Scheme	Additional Comments
TR F/04/50866	Springstar Developments, Re 19 Mead Road, Chandler's Ford	£549.20	TSI 718	St Swithun Wells RC Primary School - Cycle shelter improvements and pedestrian safety measures to promote sustainable travel to school	Not yet prioritised	None	The Developer Contribution is allocated to TSI 483, Hursley Road pedestrian crossing improvements close to the railway. No additional improvements can be made at this stage.