Statement of Case For:

Site Address: 10 Romill Close, West End, Southampton, SO18 3NE

Applicant: Mr B Natt

LPA Reference: C/17/80065

Date: 3rd July 2017



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The Site and Surroundings

The site is situated within the Gatters Mill and Romill Close West End Conservation Area.

There are a varied mix of properties in the area ranging from the cottage style properties in Romill Close, which have been considerably altered over the years to modern development of two storey houses in Upmill Close. The site is adjacent to the green space recreation area in Upmill Close.

The site is in a sustainable location being close to good transport links and all relevant local amenities.

The Proposal

Is for the construction of 1 No. detached three bedroom dwelling with access from Romill Close, following demolition of existing outbuildings.

The site is situated to the rear of No. 10 Romill Close and will be served by the existing vehicular access situated to the side of No. 10 and this serves an existing garage/workshop at the rear of the property.

The proposal will provide two on site car parking spaces for the new development together with outside amenity and private garden space as shown on the application drawings. Car parking, amenity and garden space will be retained with No. 10.

Reasons for Refusal

The Local Planning Authority have given the following reasons for refusal and I would like to comment upon them as follows.

Reason One

The proposed development due to its siting, design, massing, scale, subsequent loss of space around the building would create an unattractive and incongruous feature at odds with the appearance of neighbouring properties and detrimental to the character and pattern of development within the Conservation Area and locality. As such the proposed development is contrary to Saved Policies 59.BE and 169.LB of the Eastleigh Borough Local Plan Review [2001-2011].

I set out below an extract from the Architect's Design & Access Statement, which clearly sets out the design concept for this proposal.

"The revised proposed scheme has been laid out on site in order to achieve the following;

- Off the road parking to mirror other new properties in the road with added benefit of on site turning by use of vehicle turntable. - repositioned to overcome concerns of overlooking to 29c Upmill Close, the existing dwelling on Romill Close and the protected trees on the eastern boundary.

- All security measures will be involved to prevent crime including - lockable windows, intruder alarms and senor operated lighting. - Provision for cycle storage will be made within a garden shed at the rear of the property. - Level access

to ground floor.

The proposed layout of the development intends to maintain a spatial setting that takes account of the existing neighbouring properties by creating a traditional development that gives a visual focus when viewing/entering the site along with a unique identity and focus for increased vitality and activity whilst enabling a reasonable area of private communal garden to the front and rear for the new occupants.

Key Features;

- Minimises the requirement for on-street parking in new development.

- Maintains the predominant plot widths and continuity in building line.

- The form of new development relates effectively with the two storey, hipped/gable roofs and windows prominent on existing development in Upmill Close."

With regard to siting, the front elevation of the new property will be set back from the existing dwellings No's. 9 & 10 Romill Close by about 28.8 metres. The back to back distance from the proposed property to No. 29c Upmill Close will be some 20 metres. It is therefore considered that due to the orientation of properties there will be no loss of sunlight, daylight or overshadowing to any adjoining properties by virtue of this proposal.

The sites location adjacent on its eastern boundary to the recreation field in Upmill Close means that the site has a relationship with the modern two storey houses in Upmill Close

and the cottages in Romill Close.

The Romill Close cottages have been extensively altered and extended over the years breaking up any uniform pattern of development along this road. I set out below a further extract from the Architect's Design & Assess Statement relating to the external appearance of the proposed new dwelling.

"The principle aim of the scheme is to create a composition taking account of the dwelling design approved on the surrounding site and which sits well in the street scene and draws inspiration for the local vernacular.

The general ethos of the scheme draws complete inspiration from the "genius loci" (spirit of the place) as the majority of the dwellings in this area are of a 2 storey in design although there are examples of some bungalow properties of both semi-detached and detached nature. This plot allows us to further emphasis the architectural evolution of the area without being a pastiche to the past whilst there is an opportunity to improve the streetscape with built form of sufficient height, scale and mass which will engage positively at street level as you pass along the street. This will also act as a continuation of the recent approved development which is currently in full swing of being completed."

The Planning Officer's Delegated Report states that two storey detached dwellings do form part of the character of the area and that the proposed facing materials can be considered to be in keeping with the neighbouring properties.

Whilst the plot is sited to the rear of No. 10 Romill Close it is not a conventional backland development as the whole site borders the open green space of the recreation ground along its eastern boundary.

It is considered that the design takes influence from properties in the immediate locality but is individual enough to form a stand alone development that will be visually attractive and will integrate well in its location with the conservation area.

Backland development has been allowed in the area with the approval of two new detached dwellings to the rear of No. 1 and 2 Romill Close (Reference: 15/76607) and a copy of the layout plan of this development is attached in the appendix to this statement.

In the case of that approval the site is surrounded on four sides by properties and their plots and therefore is truly a backland development.

This revised design takes into consideration the concerns raised by the Planning Officer under pre-app reference: Q/16/79116.

One of the issues raised in the pre-app response was the pressure on trees and therefore an Arboricultural Impact Assessment by a qualified consultant accompanied the application. This shows that the subject to mitigation measures the development can be achieved without damage to any TPO trees.

The council's Tree Officer has no objection.

The proposal will optimise the development potential of the site in accordance with Paragraph 58 of the National Planning Policy Framework guidelines, which states that planning decisions should aim to ensure that developments optimise the potential of the site to accommodate development. The National Planning Policy Framework under *'Core Planning Principles'* states that planning should not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live.

Reason Two

The proposed development would give rise to an undesirable form of backland development with an access route that passes in close proximity to the host dwelling 10 Romill Close. As a result the proposal would have an adverse effect on the amenity currently enjoyed by the occupiers of the host dwelling No.10 Romill Close. Furthermore due to the need to provide the vehicular access to the side of the 10 Romill Close the resulting private amenity space of the host dwelling (No.10) will be of a irregular shape, of limited utility to the occupiers of the dwelling, and out of character with the amenity space of the neighbouring properties of Romill Close. As such the proposal is contrary to Saved Policy 59.BE of the Eastleigh Borough Local Plan Review [2001-2011]

The site will be accessed via the existing vehicular access to the side of No. 10 Romill Close. This access currently serves a garage/workshop building in the rear garden and therefore this vehicular access is in constant use and it is not considered that the additional parking spaces with the proposed new dwelling would significantly increase any noise or nuisance to the host property.

With regard to the amenity space for the properties, it is noted that the new house will have a private rear garden of about 136

square metres whereas the new two detached houses consented at the rear of No. 1 & 2 Romill Close only have rear garden spaces of 87.5 square metres and 120 square metres.

The amenity/garden spaces retained with No. 1 & 2 Romill Close are 50 square metres and 51 square metres, which is less than the space proposed with No. 10 Romill Close.

Overall it is considered that there will be no significant loss of amenity to No. 10 Romill Close.

The rear garden space of the proposed new dwelling is above the minimum of 60% of the total floor area as required by Quality Places SPD.

The amenity space for both the new dwelling and the retained dwelling are considered adequate for the size of accommodation of the properties that they will serve and in relation to other plots in the area.

With regard to residential amenity, the Planning Officer's Delegated Report relating to residential amenity states as follows.

"The proposal will be visible from a number of the neighbouring properties. However, the proposed dwelling will be located in excess of 20m meters from the habitable areas of the neighbouring properties. As such the proposal is not considered to give rise to any material harm to the light or outlook currently enjoyed by the occupants of the neighbouring properties.

It is noted that there is a change in ground levels between the proposed property and the properties or Romill Close to the

north. However, the proposed dwelling will be in excess of 25m from those properties. As such given the separation distances between properties the proposal is not considered to result in any material harm to the privacy amenity of the neighbouring properties."

In terms of siting of the property and residential amenity it is considered that the decision is inconsistent with the approval at No. 1 & 2 Romill Close, which was for a development of two backland development housing plots.

Reason Three

The application fails to secure mitigation against additional recreational pressure created by the development on the Solent and Southampton Water Special Protection Area. As such the proposals are contrary to the Conservation of Natural Habitats and Species Regulations 2010, Policy 25.NC of the Eastleigh Borough Local Plan Review [2001-2011] Policy SM9 of the Submitted Eastleigh Borough Local Plan [2011-2029] and The National Planning Policy Framework.

The applicant will enter into a Unilateral Undertaking with the council during the appeal process.

Planning Policies

In their decision notice Eastleigh Borough Council state that they consider the proposal contrary to Saved Polices 59.BE, 169.LB and 25.NC of the Eastleigh Borough Local Plan and the National Planning Policy Framework. I would therefore like to comment upon these policies as follows.

Policy 169.LB – New Buildings within Conservation Areas

The relevant criteria of this policy are as follows:

(i) the proposal preserves or enhances the character or appearance of the Conservation Area or its setting;

(ii) any new building or extension does not detract from the character of the area and where appropriate retains the existing street building line and the rhythm of the street-scene;

(iii) the mass, materials and form of the building and associated landscape features are in scale and harmony with the existing and adjoining buildings and the area as a whole and the proportions of its parts relate well to each other, to the existing building and to adjoining buildings;

(vi) the materials to be used are appropriate to and in sympathy with the existing buildings and the particular character of the area; and

(vii) they do not generate excessive traffic, car parking, noise or cause detriment to the character of the local environment. Existing inappropriate uses will not be allowed to expand or intensify and the Borough Council may encourage their relocation if serious loss of amenity is occurring.

It is considered that this proposal is well designed in relation to its setting within the conservation area and its relationship with nearby buildings.

The building will be visually attractive with materials complimentary to existing buildings in the area. Its size, mass and form are appropriate for its siting and its relationship to

other buildings.

It is not considered that the proposal would generate excessive traffic and the parking areas are approached via the existing side vehicular access to the property. It is noted that Hampshire County Council have no objection on highways grounds.

Policy 59.BE – Residential Amenity

The Planning Officer's Delegated Report confirms that the proposal will not have any material harm in respect of light, outlook or overlooking to neighbouring properties.

This policy also relates to trees worthy of retention.

The council confirm that the site does not contain any trees offered protection by Tree Perseveration Order, although the site is within a conservation area and there are TPO trees adjacent to the site.

The council's Head of Countryside and Trees has raised no objection to the proposal providing the development accords with the submitted Arboricultural Method Statement.

National Planning Policy Framework

The council's decision notice states that the proposal is contrary to the NPPF but they do not state which particular policies they consider it contrary to. I set out below what I consider to be the relevant policies for this application.

Achieving Sustainable Development

Paragraph 7 states that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role**
- **a social role**
- **an environmental role**

Sustainable Transport

Paragraph 32 states that development should provide safe and suitable access to the site for all people and Paragraph 35 states that development should be located and designed where practical to give priority to pedestrians and cycle movements and have access to high quality public transport facilities. Also, to create safe and secure layouts which minimise conflicts between traffic, cyclists or pedestrians, and also to consider the needs of people with disabilities by all modes of transport.

Core Planning Principles

Paragraph 17 states that planning should:

- *Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*

- *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

Section 6: Delivering a Wide Choice of High Quality Homes

Paragraph 49 states housing applications should be considered in the context of the presumption in favour of sustainable development.

Section 7: Requiring Good Design

Paragraph 56 states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 57 states that it is important to plan positively for the achievement of high quality and inclusive design for all development.

Paragraph 58 states 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;*

- *Optimise the potential of the site to accommodate development;*
- *Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*

- *Are visually attractive as a result of good architecture and appropriate landscaping.*

Paragraph 60 states that planning 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.

Paragraph 61 states that visual appearance and the architecture of individual buildings are very important factors but securing high quality and inclusive design goes beyond aesthetic considerations.

Paragraph 137 states that Local planning authorities should look for opportunities for new development with Conservation Areas.

These Framework Policies emphasise the importance of inclusive design, which functions well for the lifetime of the development creating attractive and comfortable places to live.

They also emphasise the importance of sustainable development.

Paragraph 6 states that the purpose of the planning system is to contribute to the achievement of sustainable development and Paragraph 14 says that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as the golden thread running through the both plan making and decision taking.

It is considered that this proposal is sustainable development as follows.

It is considered that the construction activities associated with the development could potentially generate employment opportunities for the local community and have associated benefits for services and suppliers. In the longer term development could also support the local economy in terms of the use of local shops, services and facilities and potentially result in a level of new investment in the locality.

It will add well to the housing mix in the area and Paragraph 50 of the NPPF states that Local Authorities should plan for a mix of housing within communities.

It optimises the potential of the site to accommodate additional development.

Energy and water saving measures will be incorporated in the build.

It is in a sustainable location within the West End area of Southampton with good transport links close by. The site is also close to all relevant local amenities including schooling, shopping and health facilities.

There will be no large scale demolition or excavation works.

Site waste will be managed and kept to a minimum.

Materials will be sourced locally from sustainable sources where possible.

There will be no adverse effect upon the local environment with nearby TPO trees being protected during construction in accordance with the specialist arboricultural report.

Safe pedestrian and vehicular access to and from the site will be provided and there will be a level threshold to the front entrance door to assist occupiers or visitors with mobility difficulties.

Conclusion

I set out below a summary of the appellant's grounds of appeal and rebuttal of the council's decision.

✓ The Government seeks to significantly boost housing supply and this will provide a windfall site for an additional housing unit to boost the housing mix in the area and assist the council in achieving their new housing targets.

✓ It is considered compliant with relevant local plan policies as set out in this statement.

✓ It is considered to be sustainable development in accordance with the guidelines set out in the National Planning Policy Framework.

✓ The proposal is sustainable development in terms of location, transport, construction, the local economy and local environment.

✓ The Highway Authority have raised no objection to the proposal.

✓ Issues raised in the council's pre-application response have been addressed.

✓ The proposal is not true backland development with the site being in a unique location adjacent to green space.

✓ The design relates particularly to the two storey modern houses in Upmill Close as the site is not visible from and will not form part of the Romill Close street scene.

✓ Due to the space between buildings and the orientation of buildings there will be no loss of sunlight, daylight or overshadowing to any adjoining properties by virtue of this proposal.

✓ Due to the spacing between buildings there will be no adverse overlooking or loss of privacy to nearby properties.

✓ The development provides effective use of land in an urban setting.

✓ Amenity/garden space provided to the new house and to the retained house are in excess of those approved on the nearby backland development at No. 1 & 2 Romill Close.

✓ The proposal will not affect protected trees and this is confirmed by the council's Tree Officer.

I would respectfully ask the Inspector to allow the appeal.