REF. NO. O/17/80438

PLANNING APPLICATION REPORT

DESCRIPTION ADDRESS	Outline: Construction of 4no. dwellings with amended access from Satchell Lane, following demolition of existing dwelling (access only, all other matters reserved). Creek Cottage, 58 Satchell Lane, Hamble-Le-Rice, Southampton SO31 4HL

SITE VISIT DATE – 21/07/2017

ARE PLANS ACCURATE? – Drawings are indicative other than for access position.

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? – Yes and site notice displayed.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above to replace the existing bungalow on site. Only access is to be considered in detail at this stage, with the remaining matters of appearance, landscaping, layout and scale to be determined at the reserved matters stage.
SITE AREA	0.36 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	Approximately 11 dwellings per hectare.
TOPOGRAPHY	The majority of the site is relatively level with a gentle slope down from the road. At the very rear of the site where it narrows in width there is a more prominent drop in levels of approximately 2-3 metres.
TREES	The majority of the site is surrounded by trees and/or dense planting. The most prominent trees are a line of Cyprus to the Satchell Lane frontage which are not protected, as well as a group of larger deciduous trees at the rear which are subject to tree preservation orders.
BOUNDARY TREATMENT	The majority of the site boundaries are marked by close board timber fencing, together with mature planting and trees. Those adjacent to the neighbouring property, 'The Boathouse Cottage' are also marked by retaining walls given the difference in site levels.
SITE CHARACTERISTICS	The existing property is a fairly sizable 1920s single storey bungalow which sits centrally within a generous and generally well screened plot. The garden is mature and was originally much larger and stretched down to the river, of which there is still a glimpse.
CHARACTER OF LOCALITY	The surrounding area is predominantly residential in nature, with this eastern side of Satchell Lane being made up predominantly of sizable detached dwellings on fairly generous plots, although the application site is perhaps the largest of the remaining original plots.

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THE SITE AND ITS SURROUNDINGS

To the south-east of the site is the edge of one of the marina/boatyards which front onto the Hamble River.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
O/16/79449	Outline: Construction of 5no. 4/5 bedroom detached dwellings, following demolition of existing dwelling (access only to be considered).	Withdrawn Dec 2016

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Sproule – 99 Satchell Lane	Object. Overdevelopment which does not take into account the site topography or character of the area. Site is subject to flooding. Hamble Lane cannot take any further traffic.
Lane – 56 Satchell Lane	Object. Highway safety concerns for Satchell Lane and added congestion along Hamble Lane. Impact on local wildlife including bats. Impact to trees. Amenity of neighbours including overlooking and loss of privacy. Overdevelopment of site. Visually intrusive. Impact on drainage and flooding.
Janssen – 60 Satchell Lane	Object. Overdevelopment of site. Flooding and drainage. Loss/damage of trees and impact on the character of the area. Size of dwellings would be too large for character of the area. Additional traffic and highway safety concerns.
Pridal – (Address not provided)	Object. Additional dwellings will add to existing congestion problems in the area.
Clark – 95 Satchell Lane	Object. Loss of large character property. Impact upon the character of the area. The four large houses proposed will not meet the need for smaller starter homes and young families. Increased demand on local facilities. Highway safety concerns. Loss of trees. Impact on amenity of neighbouring properties.
Jenkins – 54a Satchell Lane	Object. Other than the reduction to four dwellings all the same concerns to the previous scheme remain.
Mansfield – Boathouse Cottage, Satchell Lane	Object. Impact upon and loss of trees. Site level changes will result in overlooking and loss of privacy, impact on light and visually intrusive. Height and scale proposed would be out of keeping with surrounding dwellings in the area. Impact on existing boundary landscape screening. Drainage and flooding. Ecology and bats.
Warner – 62 Satchell Lane	Object. Many of the original concerns to the previous scheme for five dwellings remain. Overdevelopment of the plot. Impact on trees, the appearance of the area and neighbour's amenity. Also drainage and flooding.

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Tree Officer	Following submission of a revised arboricultural report and tree protection plan, I am happy that the disparity regarding trees has been addressed. I raise no objection to the proposed development, subject to conditions.
Ecology	Objection. Insufficient information provided to adequately assess impact of the proposed development, particularly relating to sustainable drainage and bats.
Hampshire Highways	No objection in principle on highway grounds provided an on-site bin collection point is provided, as well as a construction site management plan being agreed prior to commencement. Site access is unchanged and the internal arrangement allows for turning space. A formalised bin collection point should be provided to ensure that the footway is not obstructed, and site management plan provided to limit impact during construction.
Esso	No comments received.
Pipeline Agency	No objection.
Hamble-le-Rice Parish Council	Concerns regarding increased traffic impact to Satchell Lane, as well as Hamble Lane given the level of development in the area. Also highway safety concerns for Satchell Lane having inadequate footways and lighting, as well as the position of the access. Feel that the scheme is cramped and overdeveloped, will adversely impact the amenity of neighbouring properties through overlooking and visual intrusion. Loss of trees and flooding concerns. Drainage and impact upon the river. Feels that a smaller and more sensitive development would be more appropriate.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area

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

Eastleigh Borough Local Plan Review (2001-2011), saved Policies 25.NC, 28.ES, 34.ES, 45.ES, 59.BE, 100.T, 104.T & 191.IN

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and
- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014' Policies DM1, DM2, DM4, DM9, DM23, DM24, DM25, DM29 & DM37

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

Supplementary Planning Document: Quality Places
Supplementary Planning Document: Character Area Appraisals – Bursledon, Hamble-le-Rice and Hound (BHH 33)
Supplementary Planning Document: Residential Parking Standards
Supplementary Planning Document: Environmentally Sustainable Development
Supplementary Planning Document: Planning Obligations
Supplementary Planning Document: Biodiversity

NATIONAL PLANNING POLICY GUIDANCE

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."

Paragraph 14 of the NPPF sets out the "presumption in favour of sustainable development" in both plan-making and decision-taking.

Paragraph 17 sets out twelve core principles that underpin the planning system, one of which is that planning should "always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings".

Paragraph 49 states that, "Housing applications should be considered in the context of the presumption in favour of sustainable development."

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the principle of that proposed and access, the only detailed matter for consideration at this stage. Other matters of layout, design and impact upon the street scene and character of the area, the amenity of neighbouring properties, parking and high way issues, trees, biodiversity, drainage and environmental sustainability will be considered in principle but will need to be reviewed in detail at the reserved matters stage.

COMMENT ON CONSULTATION RESPONSES

The majority of the responses received were based on the original submitted information and indicative drawings. Amended indicative drawings and a drainage strategy have since been submitted which do address a number of the points raised.

COMMENT ON REPRESENTATIONS RECEIVED

A response to all the main planning issues is given below.

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PLANNING OBLIGATION/CONSIDERATIONS

The changes to the National Planning Practice Guidance (NPPG) which increases the threshold for when tariff based planning obligations can be required by new development have been re-established. This means that developments of ten units or less (and which have a maximum combined floor space of no more than 1000 square metres) will be exempt from the need to provide tariff based planning obligations or affordable housing. The proposed development in this instance falls within this threshold and is unlikely to exceed 1000 square metres in total floor area, as such no planning obligations can be requested.

However, the site does fall within the Solent Disturbance Mitigation Project catchment area which means that a contribution is required for every new dwelling constructed. This contribution has been secured via an up-front payment.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

> *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

In this case policy issues for consideration include:

Matters for Consideration:

Principle – The application site lies within the urban edge where the basic principle of development is considered to be acceptable, with any formal planning approval being based upon the exact nature, design and impact of that proposed being considered appropriate and in accordance with the relevant Local Plan policies and Supplementary Planning Documents. The most relevant policy in this case is saved Policy 59.BE of the Local Plan which 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, to make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes. Also of relevance is Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029, July 2014, which essentially reiterates the above requirements.

Access – Access is the only detailed matter for consideration at this point. The proposed development intends to utilise the existing site access onto Satchell Lane. While the concerns highlighted by neighbours and the parish are noted, no objection has been raised by Hampshire Highways. While on the inside of a bend, the boundary planting is sufficiently set back from the carriageway and pedestrian footway so as to ensure good sightlines and conditions could be applied to ensure that this is maintained as part of any planning approval.

In terms of the only detailed matter for consideration at this stage, there are no planning reasons which would warrant refusal of the application.

Other Considerations:

Layout, Design, Street Scene & Area Character – Concern has been expressed that to replace the existing single bungalow with four large detached houses would amount to an overdevelopment of the site. This was a concern of the previously withdrawn application which proposed five dwellings and an initial concern of this current application based on the originally submitted indicative drawings. However, an amended indicative layout has now been provided reducing the footprint of the dwellings

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

proposed. While still large, it allows sufficient spacing between them to better reflect the characteristics of surrounding properties on this eastern side of Satchell Lane. Although perhaps tighter than would be desirable, it is not considered that an argument for overdevelopment could reasonably be defended.

While indicative, the amended site layout plan does demonstrate that four good size detached dwellings can be accommodated on site in a manner which respects its constraints and the character of the surrounding area. However, it will be necessary to apply some limitations to this outline approval in terms of footprint size, height and general scale to ensure that this is followed through to the detailed design stage.

Residential Amenity – Concerns relating to overlooking and loss of privacy have been expressed by immediate neighbours. These concerns are based on the submitted house plans and elevations, which while quite detailed are indicative. However, the site layout plan does demonstrate that with careful consideration, positioning and design, any potential issues of overlooking can be overcome and could not therefore be used as a reason for refusal.

Equally, any potential for visual intrusion, loss of outlook or overshadowing can also be addressed through careful consideration of the final scheme design.

Provided this is successfully undertaken, it is not considered that there would be any adverse or unacceptable impact upon the residential amenity of any neighbouring properties or between those proposed, in terms of loss of privacy, light or outlook. As such the application can accord with the amenity requirements of saved Policy 59.BE of the current Local Plan, Policy DM1 of the Submitted Local Plan and the Council's 'Quality Places' SPD.

Parking & Highway Matters – As has been set out above, the existing site access is considered to be acceptable for the four dwellings proposed. The submitted indicative site layout also demonstrated that each plot could easily accommodate the minimum of three off-road parking spaces required by the Council's 'Residential Parking Standards' SPD for what are likely to be dwellings of four or more bedrooms, as well as adequate room to turn a vehicle, thereby allowing access and egress in a forward gear.

The concerns regarding increasing congestion problems in and around Hamble, particularly along Hamble Lane are noted. However, it would be very difficult to substantiate a reason for refusal on these grounds for a development which will only have a net gain of three dwellings, even when taking account of the cumulative impact of this and other development.

The application is therefore considered to comply with this element of saved Policy 59.BE of the current Local Plan and Policy DM24 of the Submitted Local Plan.

Trees – The indicative site layout plan also shows that a suitable design/layout can be achieved which takes into account the most prominent and important trees within and around the edges/boundaries of the site, including those trees which are protected by preservation orders. No objection has been raised to the updated arboricultural report by the Borough's Tree Officer and conditions recommended to ensure protection of the most important specimens.

Biodiversity & Nature Conservation – The Council's Biodiversity Officer raised a number of issues to the initially submitted supporting information in relation to drainage and impact on the nearby River Hamble, as well as bats.

In order to address these comments a sustainable drainage strategy has been submitted in support of the application. This shows that a substantial proportion of the site's existing surface water drainage is discharged into a public surface water drain, which ultimately discharges into the nearby creek. This is likely to be due to the fact that the site's natural ground conditions are predominantly clay, meaning that conventional infiltration drainage such as soakaways will not work. As such it is

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

proposed to continue using the existing discharge into the public water sewer, with the consent from Southern Water, but via an underground retention tank which will control flow rates into the sewer and provide filtration of that discharged. While not an ideal solution this will ensure that the quantity and quality of water being discharged into the sewer and ultimately the creek and river will be no greater than at present and of better water quality. While final details of drainage scheme are still to be finalised, it is considered that this will be sufficient to address the concerns raised.

An initial phase I habitat and bat survey was also submitted in support of the application. This set out the limited biodiversity potential of the site by virtue of its well-tended suburban garden environment. However, the age and design of the existing dwelling could lend itself to be a potential roost for certain species of bats, albeit no physical evidence of bat roosts were found. The survey report also recommends that follow up emergence surveys should be undertaken, which is considered best practice but which have not as yet been undertaken. This lack of an emergence survey was a concern of the Biodiversity Officer and their comments are noted. However, with no physical evidence of bats being found anywhere on or within the building, it is considered that to insist upon this being undertaken prior to any planning permission being granted is unreasonable. This is not to say that such a survey is not required, but it is considered that this could be suitable and adequately covered by a condition which requires such a survey to be undertaken and submitted to the LPA prior to commencement. It could also require mitigation measures to be undertaken should definitive evidence of bats be found.

With regards to other nature conservation issues the proposal is not considered to result in a likely significant impact on a European Protected site (SPA, SAC or Ramsar). HRA (Habitat Regulations Assessment) screening was required for this development as it falls inside the designated zone of impact. This screening is of the opinion that a full HRA assessment is not necessary in this case.

The site falls inside the 5.6km buffer zone for the Solent SPA. A contribution is therefore required to mitigate the increased recreational pressure resulting from the development, which has been secured via an up-front payment.

Drainage – Drainage has been raised as a concern by a number of neighbours in that further built development will added to existing problems. While noted, there is nothing to indicate that existing problems would be made worse by redevelopment of the site provided it uses a well design sustainable drainage system.

Environmental Sustainability – The Council's 'Environmentally Sustainable Development' SPD requires all new dwellings to meet a minimum of code level 4 of the Code for Sustainable Homes together with a number of other mandatory requirements on water and energy conservation. However, the code has now been revoked with the intension that these requirements will be assessed by Building Regulations. Notwithstanding this, it is Council policy that any new dwellings must meet the equivalent of Code Level 4 with regards to water and energy conservation. This would be secured via a planning condition.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

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CONCLUSIONS

While the concerns of those who have commented on the application area noted, it is considered that the applicant has sufficiently demonstrated that a redevelopment of the site for four dwellings is workable without having any unacceptable impact upon the amenity of neighbouring occupiers or the existing character of the surrounding area. However, it will be necessary to apply strict parameters in terms of the overall size and scale of the final development to ensure that the initial concerns and reservations expressed to not come to fruition.

It is therefore recommended that outline permission be granted for four dwellings subject to conditions.