

DELEGATED OFFICER REPORT

Application Ref: F/22/93394

Site Address: 63 UNDERWOOD ROAD, BISHOPSTOKE, EASTLEIGH, SO50 6FX

Case Officer: Alex Webb

Description: Proposed 3 Bedroom Detached Dwelling with associated parking provision.

Particular Site Constraints?	Yes ☒	No ☐
Nature Conservation NE - SSSI Impact Risk Zone, Stoke Park Wood SINC, HRA Screening Criteria (River SAC, SPA & Ramsar) Public Rights of Way 25m Buffer – Bishopstoke FP 739 Nutrient Neutrality Catchment - River Itchen SAC, Solent: Includes Chichester and Langstone Harbours SPA/Ramsar, Solent and Southampton Water SPA/Ramsar, Solent Maritime SAC, Portsmouth Harbour SPA/Ramsar		

Planning History?	Yes ☒	No ☐
- H/17/81900 - Single storey side and rear extension – permit 11/01/2018 - F/08/64127 - One and two storey rear extension – permitted 09/01/2009 Other relevant applications nearby are as follows: - F/14/74747 – 36 East Drive, Erection of 1 no. 3 bed dwelling with associated landscaping, cycle and bin storage and parking – permitted 29/09/2014 - F/14/74847 – Land r/o 58 Guest Road, Erection of 1 no. 2 bed bungalow with car parking and access from Shears Road - Permitted 06/10/2015		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	3 x support - garden put to better use - needed in housing crisis - lack of suitable houses for young professionals and those looking to start families within the village. - type of property that is needed if people to remain in the locality. - design of the house is aesthetically appealing and includes many desirable green credentials such as a cycle store and solar panels - Positive impact on the local flora and fauna. - Entirely acceptable - modest house which fits into the plot easily - mobile home there already and access is not a problem - Useful addition to the neighbourhood and will fit in nicely to the existing character. 9 x objections - Impact on privacy and outlook of nos 63 & 65 - Overlooking - Impact on property valuation - Uncomfortable - Proximity of the proposed dwelling to boundary, undesirably close to both existing properties - Impact lives and mental health - Loss of daylight/sunlight - Overshadowing		

	• Scale and dominance • Proposed dwelling shoe-horned, over development • Inappropriate, not in keeping with the rest of the estate or character or appearance of area. • Layout and density of buildings • Estate built 1950's with consideration to open space between houses as well as green areas, staggered alignment of houses where possible to afford privacy. • Appearance and design • Inappropriate Materials • Effect on trees and wildlife/nature conservation - disturbance to bats, slow worms, adder and grass snakes. (All Protected in the UK under the Wildlife and Countryside Act, 1981 and the proposed new house would impact their habitat) • The Local Plan prohibits additional dwellings in their private gardens. • Potential for future developer to apply to further vary any existing planning permission application. • Unfortunate, negative precedent in green spaces in Bishopstoke • Affecting the already very overcrowded parking. • Construction traffic impacts • Disproportionate and Undesirable • Undesirable to houses within a close proximity and visible to site • negative impact on neighbourhood morale, desirability of the area • Arrangement and compactness of buildings • Unsightly as both existing houses are already angled, facing different directions. • Change the landscape - block the forest view thus causing a negative effect not only to us but the area and neighbours/home owners. • Set back does not support the historical and established build line, established housing arrangement interrupted • Fails to harmonise the character and amenity of the area • interfering with the harmony of the established designs and build lines. • Impact on future occupiers • Loss of visitor parking spaces • Bishopstoke is overdeveloped • Plot inadequate and undersized - crammed in and out of place and not in keeping with the rest of the council style houses • Already looks unsightly with a mobile home present, let alone a 3-bedroom house • Noise and disturbance throughout the build
Parish Council:	Objection - lot would be cramped and this would constitute over development
Streetscene	No objection
Pollution	For the protection of neighbouring dwellings, we advise the applicant to prepare and submit a Construction and Environmental Management Plan (CEMP) for approval prior to the commencement of works. This should be appropriate and proportionate and reference Best Practicable Means and how will be consulted prior to works commencement and how any complaints about harm or adverse impact will be received and considered and a commitment to remedial actions to be put in place within 24 hours.
Trees	The site is adjacent to ancient woodland, which is also a SINC (to the east).

	It appears that the proposed structure is a suitable distant from the woodland edge (from an arboricultural perspective - Ecology may raise an issue with the ancient woodland/SINC) for any direct impacts to be occurring. However, there may be a risk from indirect impacts during construction, and so we will request a Tree Protection Plan to mitigate the risk. Therefore, we raise no arboricultural objection, subject to a condition.
HCC Highways	There is no objection to the proposals from a highways perspective. It should however be noted by the applicant that subject to any permission that may be forthcoming from EBC as Local Planning Authority, subsequent permission will be required from HCC as Local Highway Authority in order to implement the required drop kerb vehicle crossover shown on plans. Details of this process can be found via the following link - Additionally, if a permission is forthcoming, it would be requested that conditions are applied
Ecology	I have reviewed the Design and Access Statement, aerial photos and the related plans. I have no objections subject to conditions
Southern Water	Southern Water would not support the proposals for a private treatment plant in the presence of public foul sewerage network in the close vicinity of the development site. The foul sewerage shall be disposed in accordance with Part H1 of Building Regulations hierarchy. It may be possible for the foul flows from the proposed development to be connected to a nearby public sewer, and the applicant shall investigate this option Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer

Site Visit:	Yes ☒	No ☐
01/09/2022		

Policy: National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 (Sustainable development), S2 (Approach to new development) and S3 (Location of new housing); and Development Management policies DM1(General development criteria); DM2(Environmentally sustainable development), DM4 (Zero or low carbon energy), DM3 (Adaptation to Climate Change), DM6 (Sustainable surface water management and watercourse management), DM8 (Pollution), DM10 (Water and waste water), DM11 (Nature conservation), DM13 (Transport), DM14 (Parking), DM15 (Safeguarding existing employment sites), (DM23 (Residential development in urban areas), DM26 (Creating a mix of housing), DM29 (Dwellings with higher access standards), DM30 (Internal space standards for new residential development) and DM38 (Funding Infrastructure). Supplementary Planning Documents: Quality Places; Residential Parking Standards; Trees & Development, Bishopstoke, Fair Oak and Horton Heath Character Area Appraisal

Assessment: <u>Site and Surroundings</u> No 63 Underwood Road is located on the north east side of Underwood Road, within the built up area of Bishopstoke. It is an end of terrace 2-storey modern dwelling set in a

triangular plot. The front elevation faces south with residential amenity space to the front, rear and side.

The site is surrounded by residential properties to the north west and south. Underwood Road is characterised by semi-detached and terraced dwellings of a similar design and style. To the south is 65 Underwood Road, a 2-storey end of terrace property.

The southern half of the site currently contains a mobile home, occupied by a family member. The mobile home is in the south east corner and is separated from the property by a 1.8m high close board timber fence. It lies parallel with the rear garden to no. 65 Underwood Road. It fronts onto Underwood Road where there is also a pavement.

Whilst the entire of site within the applicants' ownership is included within the red line, it is the area to the south of the application site which is indicated for the proposed dwelling. The proposed plot consists of a long and narrow area, parallel to No. 65. The proposal is for a two-storey, detached 2-bed property forward of the mobile home.

Principle

The site is within the built-up area of Bishopstoke where the principle of residential development is acceptable. There is some evidence of small-scale infilling to the side and rear of plots in the locality, namely, East Drive and Shears Road. These dwellings, due to the scale and layout of the plots and proposed design solution were considered acceptable and in keeping with the pattern of development in the immediate vicinity.

Layout and Design

The proposed dwelling would be sited slightly set back from No. 65 and directly in front of the two living room windows on the front elevation (south west) of No 63. A parking area would be to the front and the majority of the proposed amenity space to the rear.

The proposed dwelling, although detached would be two storey and would have similar characteristics to those in the locality including the casement window configurations and provision of a canopy porch. The gable end style roof would also be in line with nos. 63 and 65 Underwood Road.

Residential Amenity

Following discussions, the applicants have provided amended plans including illustrative photomontages and revised streetscenes of the proposal for consideration. The revised floor plans, elevations and block plan show the property reduced from a 3-bed to a 2-bed dwelling, the reduction of the rear element from two to single storey and it re-sited 4m further east. These changes were to improve the relationship with No. 63 and in particular the windows to the living room on the front (south west) elevation, which the applicant considers to be 'secondary' side windows.

Due to orientation of No. 63 and the proximity of the proposed dwelling, the revised location would result in it being approx. 3.7m away (only 0.5m further than previously proposed) from the nearest window to the existing living room. This would result in a considerable loss of outlook and natural light into this habitable room.

Whilst these windows may not be the only source of natural light to the living room, the repositioning of the proposed dwelling would change the outlook from the bi-fold doors to the same living room on the ground floor side (south east) elevation due to the introduction of perimeter fencing, bringing it closer to this elevation (to subdivide the plot and provide sufficient amenity space for the proposed dwelling). Whilst there is a mobile home currently in view from these bi-fold doors, this is not a permanent fixture.

The proximity of a permanent boundary fence, in combination with the remaining impact upon the front windows of the living room from the new dwelling, would still have a

negative impact upon the living environment of this living room and the amenity of the occupiers of the existing property. The loss of outlook combined with the scale of the proposed dwelling, would result in an overbearing effect, detrimental to the residential amenity of occupants of no. 63. This is contrary to local plan policy DM1 and guidance set out in the Quality Places SPD.

Setting the dwelling further back in the plot would also have an adverse impact on No. 65 through the introduction of a substantial amount of built form in close proximity to its rear elevation and amenity space. Although positioned north of no.65, and so have less of an impact in terms of light, it is still likely to have an adversely enclosing effect on this boundary and be somewhat overbearing to the existing occupants.

Whilst the principle of development is accepted on this site; , due to the site constraints and the awkward angle of no. 63 Underwood Road, the revised scheme is still considered an overdevelopment of the site as the cramped spacing and the separation distances would result in an unacceptable relationship with neighbouring properties and effect on neighbouring amenity contrary to local plan policy DM1.

The proposed position of the dwelling, further back from the established building line, would not respect the existing pattern of development nor would it be in-keeping with the residential character of the area. The proposal fails to take proper account of the context of the site contrary to local plan policy DM1.

Access and Highway Issues

New vehicular access and driveway arrangements would be provided for the proposed dwelling with provision for 2 parking spaces to the front of it, thus meeting the requirements of the Residential Parking Standards SPD for 1.no 3 bedroomed dwelling. No objection is raised from the highway officer subject to the provision of a dropped kerb to the highway and the necessary permission from Hampshire County Council to excavate the highway.

Other Issues

Refuse

A bin collection point has not been shown on the plans however there would be sufficient space to the front of the property to provide on-site waste management and meet the requirements of policy DM1. Had the application been recommended for permission, then a suitably worded condition in relation to refuse collection would have been imposed to demonstrate this.

Ecology

The proposal could provide biodiversity enhancements as part of the redevelopment of the site and the councils ecology officer did not raise any objection, subject to conditions being imposed on any planning permission. The proposal would therefore meet requirements of policy DM1 and DM11 in this respect.

Trees

The councils tree officer raised no objection subject to the provision of a tree protection plan which could be secured through condition. The proposal would therefore meet the requirements of policy DM1 and the Trees and Development SPD (2021) in respect of trees.

Sustainability

The applicant has not provided any information as to how the development would meet the Council's sustainability objectives. Had the application been recommended for permission then sustainability conditions would have been imposed.

Impact on SPA

The site is outside of the 5.6km buffer zone of the Solent & Southampton Water Special Protection Area., therefore Solent Recreation Mitigation Strategy contributions would not have been sought.

The site is also outside the 13.8km catchment area of the New Forest and therefore a contribution towards the National Park Authorities Habitat Mitigation Scheme would not have been sought.

Another environmental issue is the impact of the increase in nitrates and phosphates from wastewater treatment plants discharging into local protected waters, which drain into European protected Solent SPA, SAC and Ramsar sites. A nutrient budget has not been included within the submission to show the nitrates balance and no nitrates or phosphates contribution has been secured as part of this application. As the application is recommended for refusal this has not been progressed further.

Without appropriate mitigation in place, the proposal will have a detrimental impact on the Solent & Southampton Water Special Protection Area, Solent Maritime Special Area of Conservation and Solent and Southampton Water Ramsar sites. As such the proposal is contrary to Policy DM11, the National Planning Policy Framework and provisions within The Conservation and Habitats and Species Regulations 2017.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Equalities Implications:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:

- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

Conclusion: The proposed development has been assessed against national and local plan policies and the application is refused for the following reasons:

1. The proposed development would result in overdevelopment of the site as the cramped spacing and the separation distances would result in an unacceptable relationship with neighbouring properties and effect on neighbouring amenity contrary to local plan policy DM1 of the Eastleigh Borough Local Plan (2016-2036) and the National Planning Policy Framework.
2. The position of the proposed dwelling in the plot would not be in-keeping with the prevailing character of the area. The proposal fails to take proper account of the context of the site contrary to local plan policy DM1 of the Eastleigh Borough Local Plan (2016-2036) and the National Planning Policy Framework.
3. The application fails to provide for the required mitigation to offset the impacts of the development on the European protected sites from nutrient loading from the development. The application is therefore contrary to the requirements of Policy DM11 of the Eastleigh Borough Local Plan 2016-2036, The National Planning Policy Framework, and the provisions of The Conservation of Habitats and Species Regulations 2017

Recommendation:	PERMIT ☐	REFUSE ☒
Comments ...		