

DELEGATED OFFICER REPORT

Application Ref: F/23/95608

Site Address: 7 VALLEY ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 1GQ

Case Officer: Gary Osmond

Description: Construction of 1No. four bedroom detached dwelling, including carport and amenity space

Particular Site Constraints?	Yes ☒	No ☐
- Within the urban edge - Tree Preservation Orders in close proximity - 7 Valley Road is a Locally Listed Building		

Planning History?	Yes ☒	No ☐
F/22/92765 – Erection of 1no. two-storey 3-bedroom and 1no. two-storey 4-bedroom detached properties – Withdrawn Jun 2022		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	Two representations were received objecting to the application on the following grounds: - Existing access is already damaged and cannot take heavy construction vehicles. Who will be responsible for its repair? - Noise, dust and disturbance. - More traffic (children play in the street). - Impact on trees. - Impact on wildlife. - Overlooking and loss of privacy. - Loss of light. - Overdevelopment. - Is there compensation for other homeowners?		
Chandler's Ford Parish Council:	Objection due to concerns raised regarding existing narrow access along Cyprus Grove. Existing road system not sufficient for increased traffic from build works or additional property.		
Trees:	Following initial concerns relating to the development's proximity to the adjacent protected Purple Beech, updated information provided demonstrates that the development (carport and driveway) can be constructed in an acceptable manner. No objection subject to tree protection conditions.		
Ecology:	No objection subject to the advice within the supporting Preliminary Ecological Appraisal being followed, including the planting of replacement trees.		
Natural England:	No comments received.		

Site Visit:	Yes ☒	No ☐
Details: 05/10/2023 – see separate site photographs		

Policy:**National Planning Policy Framework
Planning Practice Guidance****Development Plan:**

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM2, DM6, DM11, DM12, DM13, DM14, DM23, DM29 & DM30.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisals; Trees and Development.

Assessment:**Proposals:**

The application seeks consent for the construction of a single four bedroom detached two storey dwelling, accessed from Cypress Grove – a small cul-de-sac of four existing detached dwellings. The proposals also include driveway parking and a double carport, as well as rear amenity space and landscaping to the frontage. The site itself is formed of the rear part of No.7 Valley Road's back garden.

Policy & Principle:

The application site lies inside the urban edge and within an established residential area, where the basic principle of development is acceptable. However, any formal planning approval will be dependent on how well that proposed is considered to accord with the requirements of the relevant policies within the adopted Local Plan and Supplementary Planning Documents. The most relevant policies in this instance are Policies DM1 and DM12.

Policy DM1 requires all new development to be of a high quality design appropriate for the nature and character of the locality, as well as ensuring a good quality of amenity for future occupiers, and to minimise impact upon neighbouring occupiers and uses, as well as natural features worthy of retention.

Policy DM12 is intended to protect heritage assets within the Borough, including conservation areas, as well as nationally and locally listed buildings, by ensuring any new development does not harm the asset and is respectful to its setting and character.

Scale, Form, Layout, Design, Street Scene & Area Character:

The general two storey scale and hipped roof form of the proposed dwelling follows that of the existing Cypress Grove properties, so should compliment the current street scene. In terms of layout, the proposed single dwelling accessed from Cypress Grove is considered to be more suitable than the previously withdrawn proposal, which proposed access from Moorings Close. This withdrawn scheme also proposed two dwellings, albeit the application site was slightly larger, although there were concerns in relation to overdevelopment and impact upon and resulting from the close proximity of the large, protected Purple Beech tree.

Whilst resulting in the loss of some garden space, the application site has clear development potential. The scheme now proposed is considered to have successfully balanced making good use of urban land, whilst ensuring that the prevailing character of the locality and important features within it are not harmed. As such, the scheme is considered to accord with the relevant aspects of Policy DM1 of the Local Plan and the Council's 'Quality Places' SPD.

Heritage Impact:

No.7 Valley Road is a hansom Edwardian two storey detached double fronted villa, which has retained many of its original features, albeit is in need of some repair. It is one of a

number of Locally Listed buildings fronting Valley Road. Consideration of the proposed development's impact upon No.7 and its setting is therefore required.

As set out above, the application site is formed of the rear part of No.7's back garden, which is already subdivided by internal boundary treatments of fencing and planting. As such, the main part of No.7's garden closest to the house will remain untouched in terms of size and appearance. Whilst the proposed dwelling will be visible from the rear of No.7, it is positioned far enough away so as to not impinge upon its immediate setting or visual amenity. That being the case, it is not considered that the proposed development will result in any significant harm to the heritage asset, and will accord with the requirements of Policy DM12 of the adopted Local Plan.

Parking, Access & Highways:

As a four bedroom dwelling, the Council's 'Residential Parking Standards' SPD requires a minimum of three off-road parking spaces to be provided. This can easily be achieved with the proposed layout, which would provide four spaces, two of which within an open carport. The proposed driveway is also sufficiently long enough to allow room for a car to reverse into or from the shared Cypress Grove access in a single movement.

No alterations to Cypress Grove will be required to serve the proposed development, as the vehicle movements associated with a single additional dwelling would be minimal. This has been reviewed by Hampshire Highways, who have raised no objection to this or traffic impact upon the general highway network.

Some concern has been raised by other residents of Cypress Grove in relation to potential damage to the access road as a result of construction vehicle movements. These are not unreasonable concerns, however, the LPA is limited in what it can do in this respect, given that Cypress Grove is a private street. Were the road an adopted public highway, it would be possible to condition a pre-commencement and post-completion survey of the road and require any damage to be repaired. Notwithstanding, a note to applicant is included suggesting that such a survey be undertaken and requesting that any damage is appropriately rectified.

Amenity:

Existing Neighbours:

Concern has been raised by those objecting to the application on the grounds of loss of privacy and light, as well as noise, dust and disturbance during the construction process. Building works will inevitably result in a degree of disturbance to near neighbours. However, this would be for a relatively temporary period and conditions can be applied to the planning approval restricting working hours and requiring other measures, such as the submission of a Construction Environment Management Plan (CEMP) to limit impact upon neighbours to be agreed with the LPA prior to any works commencing.

With regards to the usual amenity issues or privacy, light and outlook, it is not considered that the proposed development would result in any unacceptable level of harm. Whilst the proposed dwelling would be able to overlook the rear gardens of properties in Moorings Close to the west and No.5 Valley Road to the east, the distances involved are sufficient to provide an acceptable degree of garden privacy for what is a suburban environment. Equally, the front elevation of No.6 Moorings Close is 22 metres from the rear elevation of the proposed dwelling, which would conform with the minimum back-to-back distance set out in the 'Quality Places' SPD.

The proximity, orientation and relationship of the proposed dwelling in relation to surrounding neighbouring properties is such that there would no loss of light or outlook. That being the case, and there being no unacceptable loss of privacy in planning terms, means that the scheme is considered to accord with the relevant aspects of Policy DM1 of the Local Plan and the Council's 'Quality Places' SPD.

Future Occupiers:

With regards to the amenity of future occupiers of the proposed development, the internal floor area more than meets the minimum requirements set out by Policy DM30 for a four bedroom two storey dwelling. Equally, the external private garden space exceeds the minimum 60% of floor area requirement of the 'Quality Places' SPD. All main habitable rooms will receive good levels of natural light and have an acceptable outlook, and the rear west facing garden will not be adversely shaded by the large adjacent protected beech tree. Again therefore, the proposed scheme is considered to accord with the relevant aspects of Policy DM1 of the Local Plan and the Council's 'Quality Places' SPD.

Trees:

Whilst the application site itself is relatively open, it is impacted by a large, protected Purple Beech which lies just outside the south-east corner of the site. A significant portion of this tree's root protection area (RPA) encroaches into the application site. As such, the impact of this tree upon the development, and of the development upon it must be considered.

Part of the reasons for the previous application being withdrawn was concern at the level of shading caused to the garden of one of the proposed properties, which would have effectively made the garden unusable. The reduction in the number of dwellings proposed and corresponding size of the application site, as well as reorienting the dwelling to front Cypress Grove, now means that the proposed rear amenity space is no longer overshadowed by the tree, thereby overcoming the previous concern.

With regards to the proposed development's impact upon the Beech tree, the dwelling has been positioned along the northern edge of the site outside the RPA. However, the driveway and carport will be predominantly within the RPA, something which initially raised concern for the Council's Tree Consultant. To address these concerns, further details in terms of the driveway and carport's method of construction has been provided. This shows that a suitable driveway can be provided with minimal disturbance to the tree's roots, and that future impact of parked vehicles can be mitigated using cellweb construction, which spreads the weight over a larger area, thereby reducing compaction of the soil and damage to tree roots. In addition to these construction details, protection measures are proposed during construction in the form of temporary fencing, etc. These suggested measures have been reviewed, are considered acceptable and a condition requiring their implementation is recommended.

Nature Conservation:

The existing garden is mainly laid to lawn, albeit there are areas of shrubbery and less well-tended corners. As such, the site is not considered to provide significant habitat for local wildlife. Notwithstanding, the application is supported by an ecology survey which includes recommendations for mitigation and enhancement of biodiversity on site. This has been reviewed by the Council's Ecologist who has raised no objection, subject to the recommendations of the ecology survey being implemented in full. She has also requested that additional tree planting be included, to replace previously removed trees, and to accord with the Council's 'Trees and Development' SPD. With these measures, which can be conditioned, it is considered that the application will accord with the requirements of Policy DM11 of the adopted Local Plan.

Nitrates & Phosphates:

Natural England have advised that the increase in wastewater from new housing developments within the borough is having a detrimental effect on the quality of water entering the Itchen and Solent catchment areas through nitrification. As such all developments for additional housing are required to reach nutrient neutrality (ensuring that development does not add to existing nutrient burdens), in order to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).

The application site would use the Chickenhall Lane wastewater treatment works, which discharges into the River Itchen. As such the proposed development is required to achieve nutrient neutrality for both nitrogen and phosphorus. Eastleigh Borough Council does have a scheme which takes land out of agricultural uses and creates recreational

spaces, thus reducing the nutrient output of the land. This scheme would be available to the applicant, although they have not confirmed if they intend to make use of this scheme or provide another form of mitigation. In either case, suitable mitigation can be secured by way of an appropriately worded planning condition.

Recreational Disturbance:

The site lies within the 13.8km catchment area for the New Forest Special Protection Area but outside the 5.6km catchment area for the Solent Bird Aware Scheme. As such, mitigation is required for recreational disturbance upon the New Forest resulting from the development. The applicant has provided the necessary contributions towards the Council's New Forest Mitigation Scheme.

Habitats Regulations:

Any proposed residential development in this area will have a likely impact upon The Solent SPAs. As such, an Appropriate Assessment under the Habitats Regulations has been completed and forwarded to Natural England for comment. However, the statutory consultation period has now expired, and no comments have been received. Notwithstanding, the LPA as the competent authority can still determine the application.

Drainage & Servicing:

Whilst it has not been raised as a concern, surface water drainage is known to be an issue in the locality, principally due to ground conditions which have a poor infiltration rate. As such, a condition requiring details of a Sustainable Urban Drainage system (SuDs) to be submitted and agreed with the LPA prior to commencement is recommended.

With regards to servicing the site, it is noted that refuse vehicles cannot use Cypress Grove due to its narrow width and minimal turning space. As such it is expected that occupiers of the proposed development will place bins at the end of the driveway on collection day, as is the case of the existing properties.

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.

Whilst no specific details are provided, there is scope to provide appropriate sustainability measures, including the provision of PV panels to the western roof slope and electric vehicle charging within the carport.

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:

Recommendation:	PERMIT ☒	REFUSE ☐
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For the reasons set out above, the application is recommended for approval subject to conditions relating to the following:

- Approved drawings;
- Commencement within three years;
- No works to begin within 21 days of approval;
- Details of SuDs drainage;
- Submission of a CEMP;
- Implementation of tree protection measures;
- Working hours;
- No burning;
- Details of materials;
- Details of landscaping, including new tree planting;
- Provision of on-site parking, bin & cycle storage;
- Implementation of biodiversity enhancement measures; and
- Provision of water quality mitigation prior to occupation.

Note to applicant regarding survey and repair of Cypress Grove.