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town planning

Appeal Statement

17 O'Connell Road

Eastleigh

SO50 9GN

Demolition of existing workshop/store and
erection of 3.no bedroom detached
dwelling

Appeal ref: TBC
LPA ref: F/23/95271

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1 Introduction

- 1.1 This Appeal Statement on behalf of the appellant, Mr Stephen Michael, accompanies a planning appeal made under Section 78 of the Town and Country Planning Act 1990 (as amended) against the decision of the Eastleigh Borough Council (the LPA) to refuse an application for planning permission at 17 O'Connell Road, Eastleigh, SO50 9GN to erect a detached house following the demolition of an existing workshop/store building.

2 Site and Surroundings

- 2.1 The appeal site is located in the residential suburban area of Eastleigh a short distance west of the town centre. The character of the locality can be described as a c1930 medium density residential estate of predominantly two storey semi-detached and terraced houses with a number of detached "infill" houses. A distinctive character of the estate is semi-detached houses and terraces set at 45-degree angles on the street corners and providing small open spaces adjacent to each road junction.
- 2.2 The appeal site lies on the southern side of O'Connell Road close to the junction with Spencer Road. It forms part of a small rectangular street block formed by O'Connell Road, Spencer Road, Derby Road and Passfield Avenue and which shows a consistent pattern of development. This pattern is also reflected in the development on the opposite sides of O'Connell and Spencer Roads.
- 2.3 The appeal site is the full residential curtilage of 17 O'Connell Road which is a two-storey red-brick semi-detached house. No. 17 and its matching semi-detached pair 2 Spencer Road is one of those set at a 45-degree angle to the street corner in this case the corner between O'Connell and Spencer Roads.
- 2.4 The appeal site is roughly triangular shaped with a wide frontage to O'Connell Road narrowing at the rear. There is a gap between the side of no. 17 and the neighbouring house to the west 19 O'Connell Road. At present this is occupied by a driveway leading from O'Connell Road to a single-storey residential outbuilding along the boundary with no. 19.



View of the appeal site from O'Connell Road – no. 17 on the left and no. 19 on the right with old workshop/storage building between

- 2.5 2 Spencer Road is the matching semi-detached house to no. 17 which has a near-identical (but handed) design except for a rear conservatory extension.
- 2.6 19 O'Connell Road is also a semi-detached two storey house which is orientated parallel to O'Connell Road. It is finished in painted roughcast render with a hipped tile roof and forward gable-fronted two storey projection. The side wall of no. 19 lies approximately 2.4m from the boundary with the appeal site.
- 2.7 The original layout of houses in the estate resulting a number of semi-detached houses with a similar size and shape plot to the appeal site including that of the adjoining house no. 2 Spencer Road. In three instances in the near vicinity including 2 Spencer Road, a new detached two-storey house has been added in the gap between the angled semi-detached house and the first house parallel to the street. The "infill" houses in question are 2a Spencer Road, built adjacent to no. 2, 1a Spencer Road, directly opposite 2a, and 20a Spencer Road at the southern end of Spencer Road. These properties will be discussed further in the Planning History section.



2a Spencer Road



1a Spencer Road



20a Spencer Road



View along Spencer Road from O'Connell Road with 1a and 2a marked

3 The Appeal Proposal

- 3.1 The appeal proposal is for the demolition of the existing outbuilding adjacent to no. 17 O'Connell Road and the erection of a detached two-storey house in the gap between nos. 17 and 19 O O'Connell Road on a subdivided plot. The proposal would also involve providing two parking spaces in front of the new house and two serving the existing house accessed by way of alteration of the existing dropped-kerb crossover and installation of a new one.
- 3.2 Following the original submission, the architect (acting as agent for the planning application), submitted two further iterations of the plans showing some minor alterations to the scheme. In the event, at the request of the architect, the LPA determined the application on the basis of the original submission.
- 3.3 The appellant considers, and will argue in the grounds of appeal, that the refused plans are acceptable and planning permission should be approved. The appellant however has a preference for the third amendment (drawing no 685/003 rev B) and hereby asks the Inspector to consider allowing the appeal on the basis of this scheme which is attached for convenience at **Appendix A**.
- 3.4 In summary the differences between the original and revision B schemes are as follows:
- The proposed house is reduced in width by 0.5m on the eastern side (17 O'Connell Road side) and increased in depth by 0.6m to the north (towards O'Connell Road) – there is no change to the resultant floor area and the south (rear) and west (side) walls are in the same position,
 - The proposed house is mirrored in design,

- All side windows are removed from the design,
- A roof light is added to the front roof slope providing light to the staircase on the first floor,
- Solar panels are added to the rear roof slope,
- The proposed parking for the new house is moved to the eastern side of the new plot and bin storage area and bike rack repositioned.

3.5 The appellant understands that acceptance of the amended plan is at the Inspector's discretion but believes that in the circumstances no party would be prejudiced by the acceptance of the amended plans.

3.6 Finally, in the planning application form it is indicated that the existing and proposed vehicle access and hardstanding would be tarmac. The existing access and driveway is actually concrete. It is proposed to use a permeable surface, probably block paving in keeping with the adjacent and opposite properties, rather than tarmac. It is considered that details of the hard surface would form part of a standard landscaping or parking condition.

4 Planning Policy

National Planning Policy Framework

- 4.1 The LPA has referred to the NPPF in each of its reasons for refusal but not specified which part or paragraph is considered relevant.

The Development Plan

- 4.2 The Development Plan comprises the Eastleigh Borough Local Plan 2016-2036 which was adopted in April 2022.
- 4.3 The first and second reasons for refusal indicate that the appeal proposal is contrary to policy DM1 of the Local Plan. Policy DM1 is a general criteria based policy applicable to all new development which states:

All new development should (as relevant):

i. not have an unacceptable impact on, and where possible should enhance:

a. residential amenities of both new and existing residents; the character and appearance of urban areas, the countryside and the coast;

b. biodiversity (avoiding significant adverse impacts); and

c. the significance of heritage assets;

ii. make efficient use of the site, maximise opportunities to increase density and have regard to potential development opportunities on adjoining land;

iii. take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible with

adjoining uses and be well integrated with these in terms of mass, scale, materials, layout, density, design and siting, both in itself and in relation to adjoining buildings, spaces and views. Where adjoining development is poor in urban design terms, new development should contribute to improving the character of the area;

iv. not involve the loss of or damage to trees, woodlands, hedgerows, ponds, priority habitats or other landscape features of value to the character of the area, for appearance or biodiversity unless they can be replaced with features of equivalent or enhanced value, (recognising that some species and habitats may be irreplaceable);

v. include a landscape scheme covering the design and layout of external space;

vi. protect and enhance public rights of way and National Trails and provide fully connected green infrastructure that interlaces the development and connects into the wider network;

vii. provide satisfactory management arrangements for all landscape, green infrastructure and biodiversity enhancement;

viii. incorporate provision for disabled people with disabilities and create accessible communities that cater for all;

ix. incorporate design measures to inhibit criminal and anti-social behaviour;

x. incorporate provision for on-site waste management; and

xi. include provision for public art associated with new large scale development in accordance with the Council's adopted Public Art Strategy.

- 4.4 The third reason for refusal refers to Policies S1, DM10 and DM11 of the Local Plan. These are only raised in respect of required mitigation to offset the impacts of the development on the European protected sites from additional nutrient loading and recreational

disturbance generated by the population increase resulting from the development. The appellant does not dispute the need for such mitigation thus it is not considered necessary to discuss these policies here.

5 Planning History

Appeal Site

- 5.1 There is no recent relevant planning history relating to the property prior to the application subject of this appeal.

1 Spencer Road

- 5.2 Planning permission (ref F/04/52320) was originally granted in December 2004 for a two-bedroom house on land adjacent to 1 Spencer Road but the permission was not implemented.
- 5.3 Planning permission (ref F/12/70726) was granted in February 2014 for *"Erection of detached 2 bed dwelling with attached garage"* on the site – a scheme which appears to be largely the same as that approved above. The house was subsequently built and is now known as 1a Spencer Road.

2 Spencer Road

- 5.4 Planning permission (ref F/05/54528) was granted in September 2005 for *"Erection of 2 bed dwelling with attached garage"* on land adjacent to 2 Spencer Road – this was subsequently built and is the detached house now known as 2a Spencer Road.

20 Spencer Road

- 5.5 Planning permission (ref F/19/86587) was granted in October 2019 for the *"Erection of 1no. two bedroom house with parking"* on land adjacent to 20 Spencer Road which is on the corner of Spencer Road and Derby Road south of the appeal site.

- 5.6 In June 2020 a further planning permission was granted (ref F/20/88075) on the same site for *“Erection of 1no. three bedroom dwelling with parking”* – i.e. a larger dwelling was approved (despite what is said in the relevant case officer’s report). This is the dwelling which has recently been built and is now known as 20a Spencer Road.
- 5.7 Details of the approvals at 20 Spencer Road are attached including approved plans, decision notice and case officer’s report for the 2-bed approval at Appendix B and the 3-bed approval at Appendix C.

6 Grounds of Appeal

Common Ground

6.1 By reference to the Refusal Notice and the Case Officer's report (attached at **Appendix D** for convenience), the following are taken by the appellant to be common ground with the LPA:

- 1 The proposed position of the house in relation to the building line would not result in adverse impact on the street scene;
- 2 The architectural design of the proposed house is considered satisfactory, would be in keeping with the character of the locality and would meet the access and space standards required by Local Plan policies;
- 3 The proposal would result in external amenity spaces for the two dwellings which would accord with local policies;
- 4 The proposal would not have any adverse impact on the amenities of any residential dwelling except 17 O'Connell Road, including no. 19 O'Connell Road;
- 5 The proposal would provide adequate living conditions for its future residents; and
- 6 The appeal proposal would raise no concerns in respect of local ecology, highways or trees.

- 6.2 The key issues for the appeal to address are: whether the appeal proposal would harm the amenities of no 17 O'Connell Road by way of either an overbearing effect or through the loss of light/sunlight; and whether it would harm character and appearance of the locality.
- 6.3 The appellant accepts the need for the development to contribute towards mitigation in respect of European Protected Sites and considers that this can be secured by way of Unilateral Undertaking and/or planning conditions.
- 6.4 The Inspector will note in the planning officer's report that it states that "No response" was received from the "Parish Council". This is incorrect – it was discussed at the Eastleigh Town Council Planning and Highways Committee on 29 June 2023 where following consideration of the (original) plans the Town Council agreed to respond with "No Objection" and the LPAs website shows that this response was received. The case officer (who has now left the LPA) has acknowledged this was an error in the report.

Impact on 17 O'Connell Road

- 6.5 The LPA's first reason for refusal states:

The proposed development would result in overdevelopment of the site as the cramped spacing and the separation distances would result in an unacceptable spatial relationship with 17 O'Connell Road and harmful effect on neighbouring amenity contrary to local plan policy DM1 of the Eastleigh Borough Local Plan (2016-2036) and the National Planning Policy Framework.

- 6.6 The question is not so much that the amenity enjoyed of no. 17 will be reduced – clearly by losing a part of its garden area it will – it is whether the result will leave no. 17 with sufficient living conditions as may be expected for a house of this nature in this locality.
- 6.7 The planning officer addresses the point on the fourth page of the officer's report under the heading "Residential Amenity". In the first paragraph it is confirmed that the size of

private amenity space provision retained for no. 17 would meet the Council's policy requirements and thus be acceptable. No concern is raised about the quality of the amenity space.

6.8 In the second paragraph the case officer points out that the proposal would *"result in two storey development 3m from the ground floor window serving the living room and the same distance from the first-floor window serving the bedroom to the rear of 17 O'Connell Road."*

6.9 The side wall of the proposed house would be set at an angle of approximately 45 degrees to the two windows mentioned above. The distance between the rear corner of the new house and the centre of the two windows would be around 3.5m with the wall at its closest to the centre of the windows around 2.8m. In the case of the revision B scheme the narrower house would result in these distances increasing to around 3.9m and 3.3m.

6.10 The two rooms affected at no. 17 are the living room on the ground floor and a bedroom (Bedroom 1 on the plans) on the upper floor. At present, both these rooms have dual aspect with windows facing front and rear. Both rooms have large windows facing front (larger than the rear windows) which are more than adequate to provide sufficient daylight and outlook to rooms of this size. Also, not shown on the plans of no. 17, is a small side facing window at first floor level this provides daylight to the landing.

6.11 The appellant is currently undertaking renovation of no. 17 which will include alteration works which amongst other things will involve the bricking up of the two rear windows in the living room and bedroom 1 – these works being permitted development. In addition, the walls between the kitchen and the living room are to be removed and the rear door to the kitchen to be replaced with double patio doors in an enlarged opening – thus providing light and outlook through to the living room as well. It is anticipated that this work will be completed by the time of the Inspector's site visit.

- 6.12 The appellant does not necessarily consider that these works are essential to make the new house acceptable given that the two affected rooms have good daylight and outlook from the front facing windows and the landing window would retain enough outlook and light to serve this small functional space.
- 6.13 The appellant notes that at no. 20 Spencer Road, 20a was approved without the equivalent windows being removed and the two houses now coexist with the equivalent windows remaining.
- 6.14 Notwithstanding the above, and should the works not already be completed, if the Inspector considers it necessary, the appellant would welcome the imposition of a Grampian condition requiring the rear-facing windows serving the living room and Bedroom 1 of no. 17 to be removed prior to the occupation of the new house.
- 6.15 In conclusion, the appellant considers that the appeal proposals would not have any unreasonably adverse impact on no. 17 O'Connell Road.

Impact on the character and appearance of the area

- 6.16 The second reason for refusal states:

The form and size of the proposed dwelling would not be in-keeping with the streetscene and prevailing character of O'Connell Road. 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.

- 6.17 The appeal site is not located in a conservation area and the area has capacity to accommodate modest change – something which is already in evidence nearby including infill properties, extensions and outbuildings, changes of materials, boundary treatments and access and parking arrangements.

- 6.18 The matter is dealt with in the case officer's report in five paragraphs under the "Layout, Character and Appearance" heading.
- 6.19 The first paragraph indicates that the proposed house would be set 0.25m in front of the established building line – it is not indicated where this has been measured from but presumably comparing the forward projection of the new house to the similar forward projection of no. 19 O'Connell Road. It is stated that *"This distance is not considered to have an adverse impact upon the established main road."* This is a reasonable position to take – particularly when we consider no. 20a Spencer Road was approved 1.66m in front of the building line at no. 18 Spencer Road (which the case officer on that application described in the officer's report as *"in-line with numbers 18 and 20"*). Both 1a and 2a Spencer Road are both set significantly forward of the equivalent neighbouring houses.
- 6.20 The use of the word "main road" is noted and there seems to be the suggestion that O'Connell Road might need to be treated more strictly than Spencer Road due to the larger number of movements along it. The appellant disputes the character of O'Connell Road as a "main road". In the hierarchy of roads around the estate it may be considered above Spencer Road but will be considerably less trafficked than Derby Road (parallel to the south) which itself is below Passfield Avenue in the hierarchy.
- 6.21 The second paragraph of this part of the officer's report notes the proposed gabled roof line and that this would differ from the hipped roof of no. 17, but harm is not identified in this regard. The appellant agrees and considers that with the variety of roof forms in the locality, the proposed roof form would sit comfortably into this locality particularly as the front gable projection, reflecting a similar feature at no. 19 O'Connell Road, would be the dominant roof feature of the new house in the street scene.
- 6.22 The third paragraph focusses on O'Connell Road and noting that the only infilling along the road is *"typically single storey development of an ancillary nature"* i.e. garages and other

domestic outbuildings. This is not disputed, however the same would have been true of Spencer Road when the house two doors away at no 2a was approved. That something has not previously happened is not in itself a good argument not to allow it.

6.23 The case officer mentions single storey outbuilding infill although it is noted that one such example at 8 O'Connell Road (approved by the LPA in 2018 ref H/18/83391) has a footprint the size of a family house and a tall ridge for a building of this nature.

6.24 O'Connell Road actually shows quite a variety of built form. It is true that the houses are all semi-detached or terraces. But the effect is that actually gaps between houses along O'Connell Road do vary considerably. It is also considered that the nature of the estate and the wide street corners which visually link the adjoining roads, means that looking at the character of individual streets in isolation is not the best way to assess the character and appearance of the locality. For example, the appeal site is considered to have a much closer visual relationship to the houses at the northern end of Spencer Road than anything on O'Connell Road east of Chadwick Road.

6.25 In the fourth paragraph under the "Layout, Character and Appearance" subheading the case officer claims that the proposal has a *"small footprint for a 3-bedroom dwelling"* and is therefore *"out of keeping with the larger footprints and proportions of the surrounding properties."* The appellant strongly disagrees – the proposed footprint (external measurement) is 50.5 m². This compares to the footprint of no. 17 (a three-bedroom house) of 51.7 m² and no. 19 (also a three-bedroom house) of 50 m². It is quite clear from the OS Map base that most other houses in the immediate locality have a very similar footprint – at least as they were originally built. The appellant therefore considers this statement by the planning officer to be entirely inaccurate and that quite on the contrary the proposed house would be entirely in keeping with the footprints and proportions of the surrounding houses.

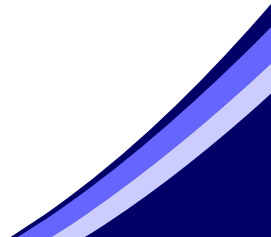
- 6.26 The planning officer then states: *"Due to the site constraints, the form and size of the proposed dwelling is not considered to fit in with the prevailing pattern of development along O'Connell Road."* As above the appellant considers that the form and size is entirely in keeping with the houses of O'Connell Road and neighbouring streets. Further it is considered that it fits acceptably into the varied pattern of development along O'Connell Road and neighbouring streets.
- 6.27 The final paragraph of the officer's report in this section raises no concerns with the proposal.
- 6.28 The glaring omission from the planning officer's report of course is lack of any mention of 1a or 2a Spencer Road, and particularly the recently consented 20a Spencer Road. It is understood that in conversation with the appellant's architect regarding 20a Spencer Road, the planning officer dismissed it as a precedent with words to the effect of "well I wouldn't have approved that". It is acknowledged that each case must be determined on its own merits, but there is also the issue of a reasonable expectation of some consistency in decision-making and also that these other properties, having been built, do now form part and parcel of the character of the locality.
- 6.29 The similarities between the appeal proposal and no. 20a Spencer Road are clear. The appellant considers that 20a Spencer Road demonstrates that a sensitively designed detached house can be added in a gap of this nature blending into the surroundings without having a jarring effect on the street scene and retaining the rhythm of development along the street. The appellant considers that the same would be true of the appeal scheme.
- 6.30 The appellant further considers that the appeal proposal would enhance the appearance of the street by replacing the run-down outbuilding and unattractive concrete driveway with an attractive new house and block paved parking area.

- 6.31 Finally, it is considered that the appeal proposal provides an excellent opportunity to provide a new family home meeting all the appropriate size standards for internal and external space in an accessible location in the urban area.

7 Conclusion & Summary

- 7.1 The appeal proposal seeks planning permission for erect a detached house following the demolition of an existing workshop/store building at 17 O'Connell Road, Eastleigh, SO50 9GN.
- 7.2 This statement has specifically demonstrated that the proposal would not have an unacceptable impact on the amenities of no. 17 O'Connell Road and would satisfactorily integrate into the street scene without harm to the character and appearance of the area.
- 7.3 The appellant therefore considers that the proposal complies with all relevant policies of the Development Plan and other relevant planning policy.

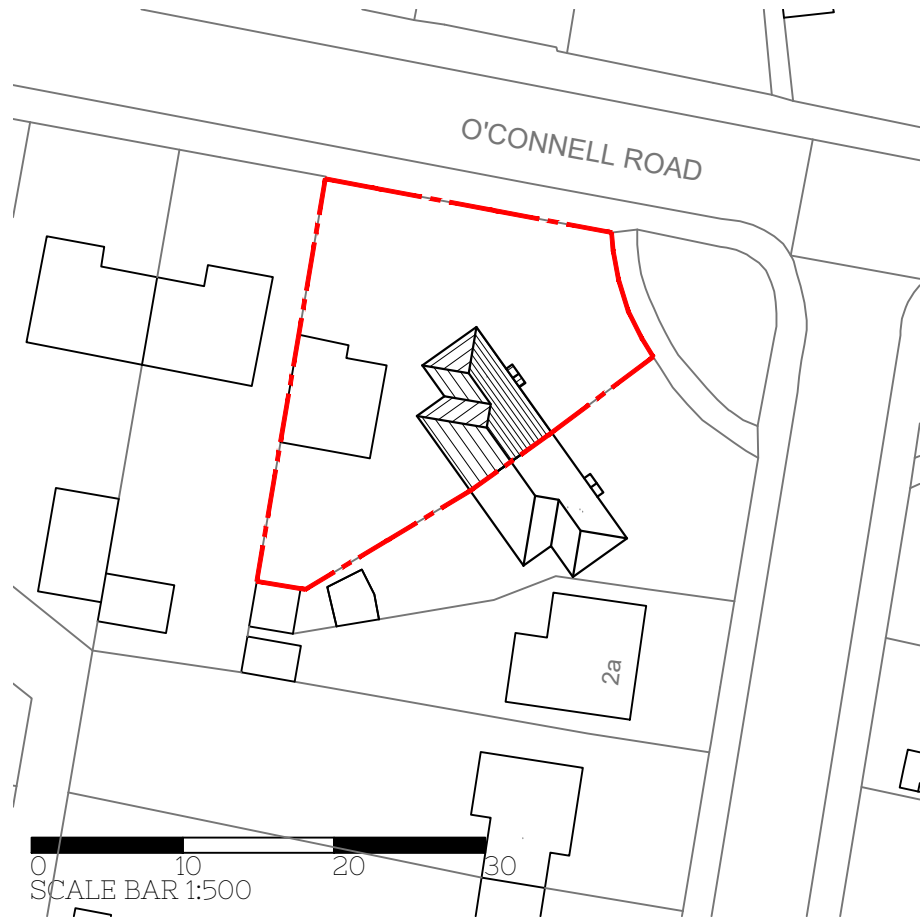
Appendix A





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SCALE BAR 1:500



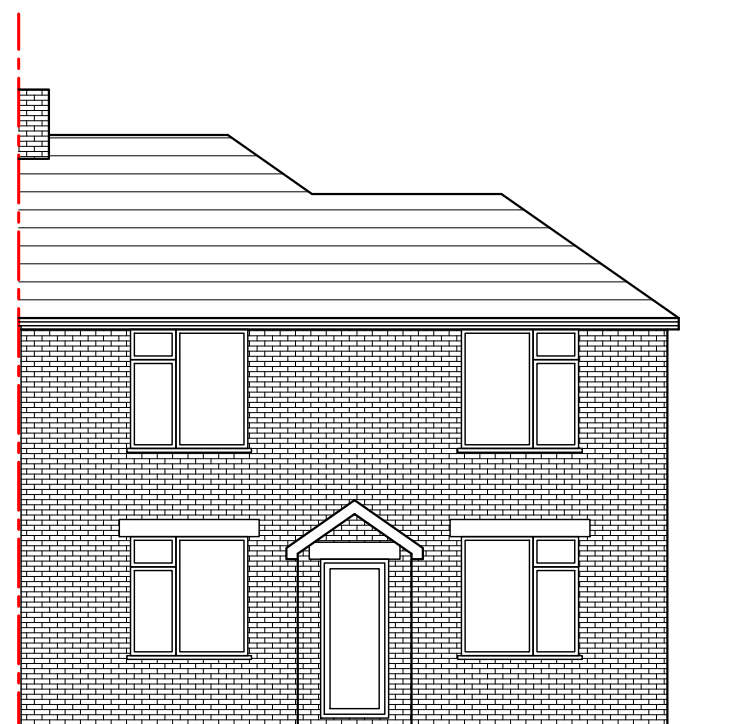
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GENERAL NOTES:

do not scale off this drawing, figured dimensions shown to be used for setting out.

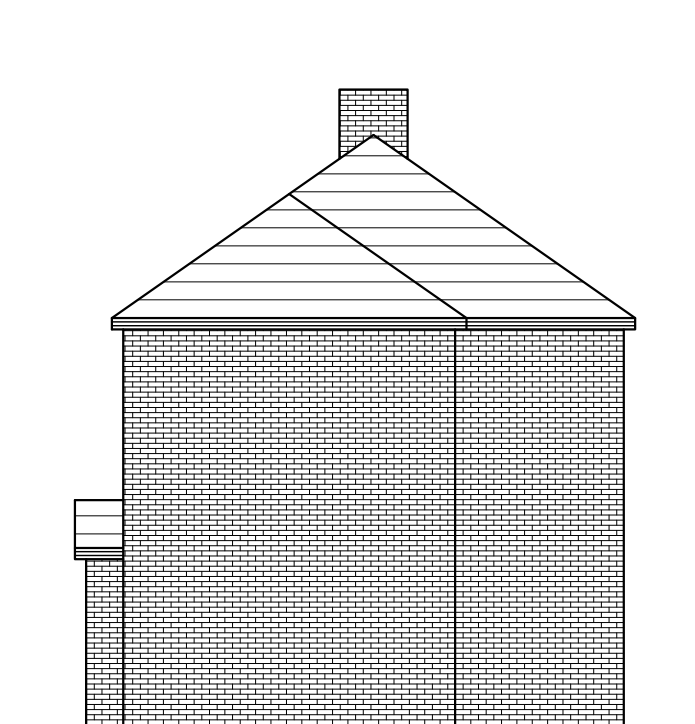
all dimensions and levels to be verified on site prior to construction, any discrepancy to be reported to architect of works to be carried out in strict accordance with current building regulations requirements and legislation.

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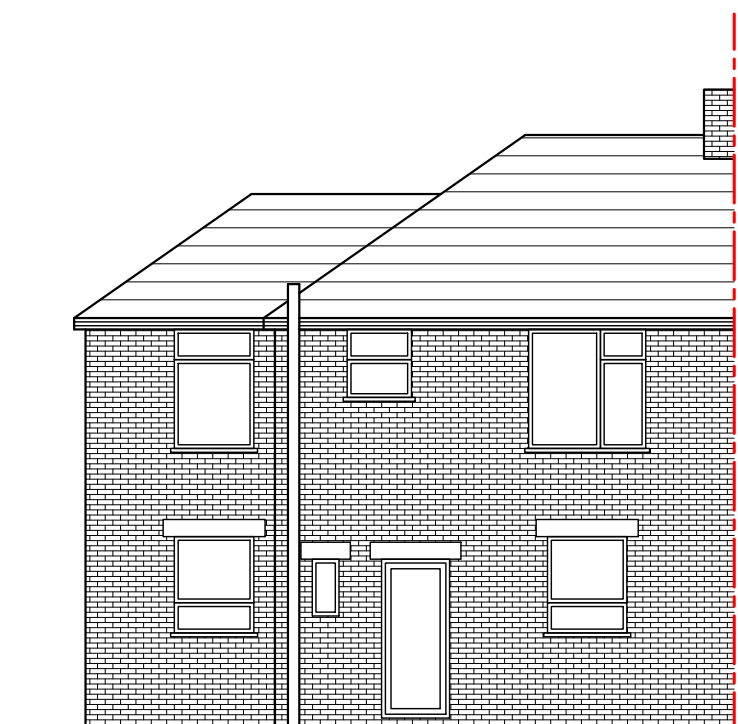
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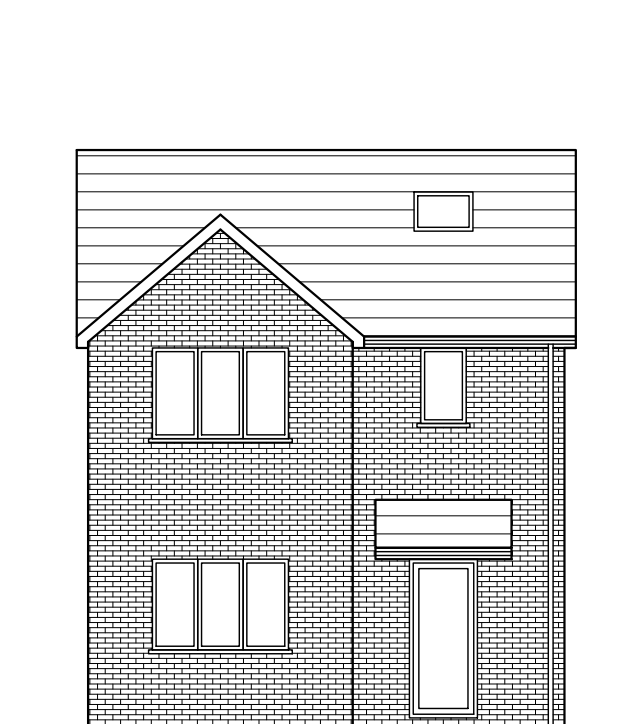
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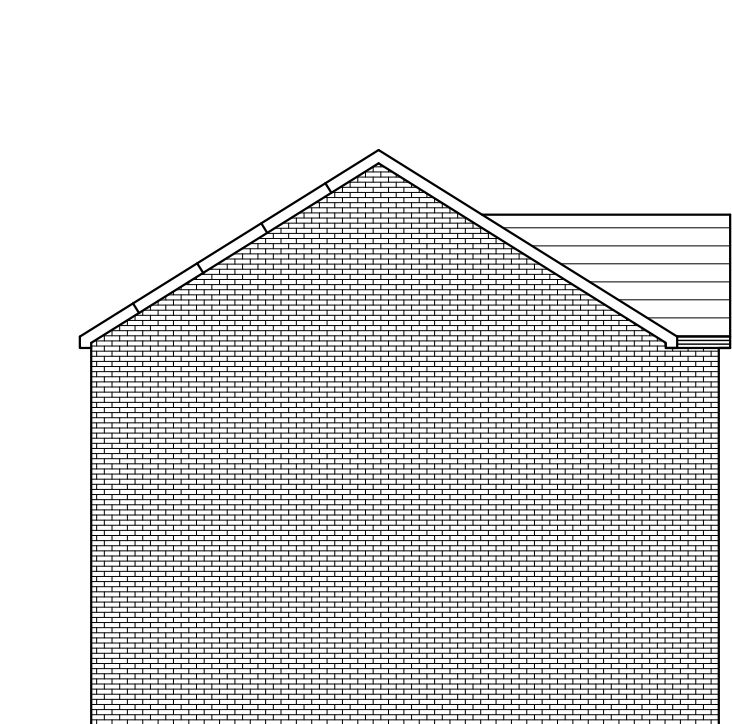
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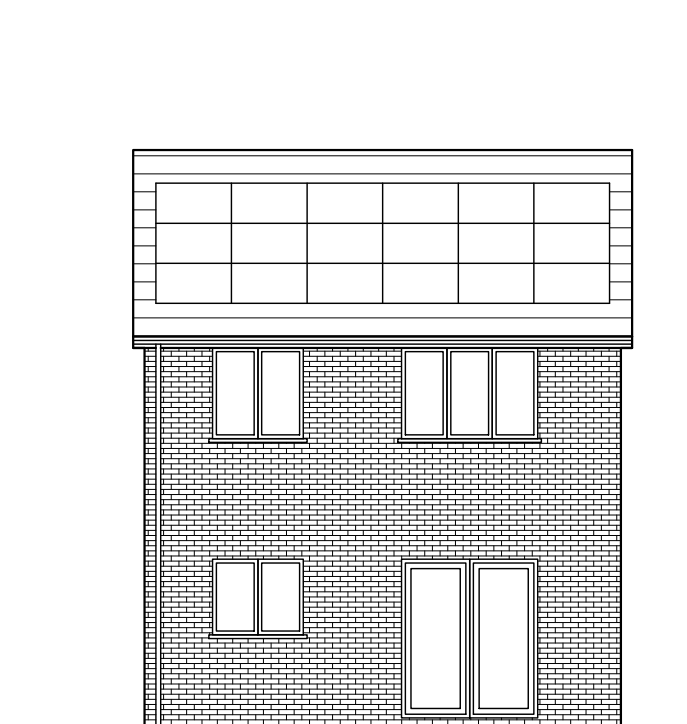
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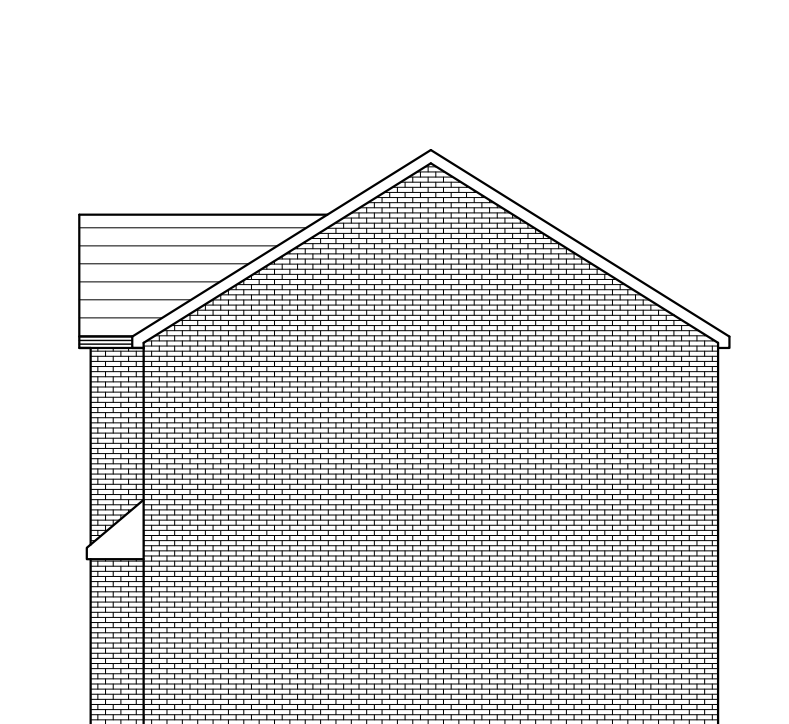
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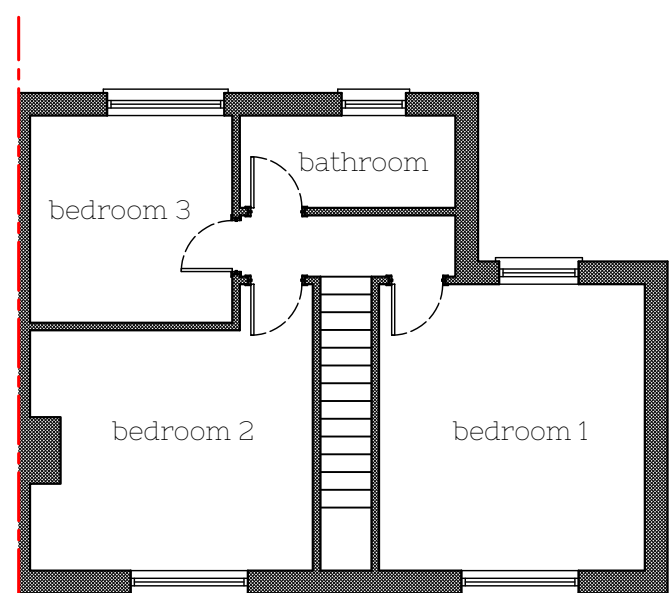
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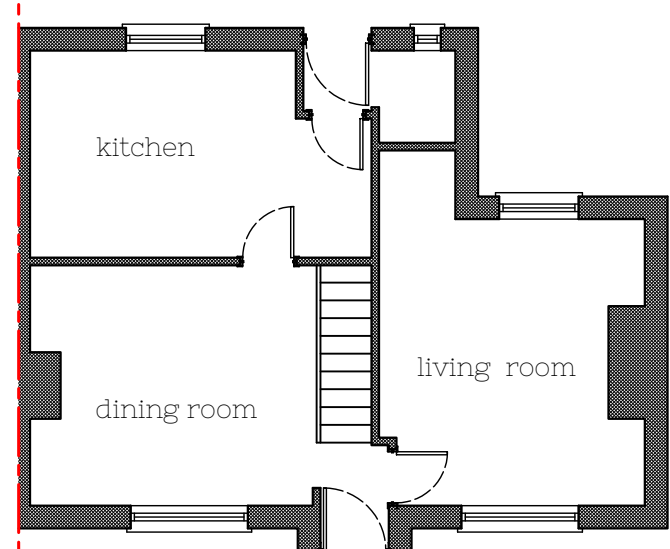
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EXISTING FIRST FLOOR PLAN 1:100

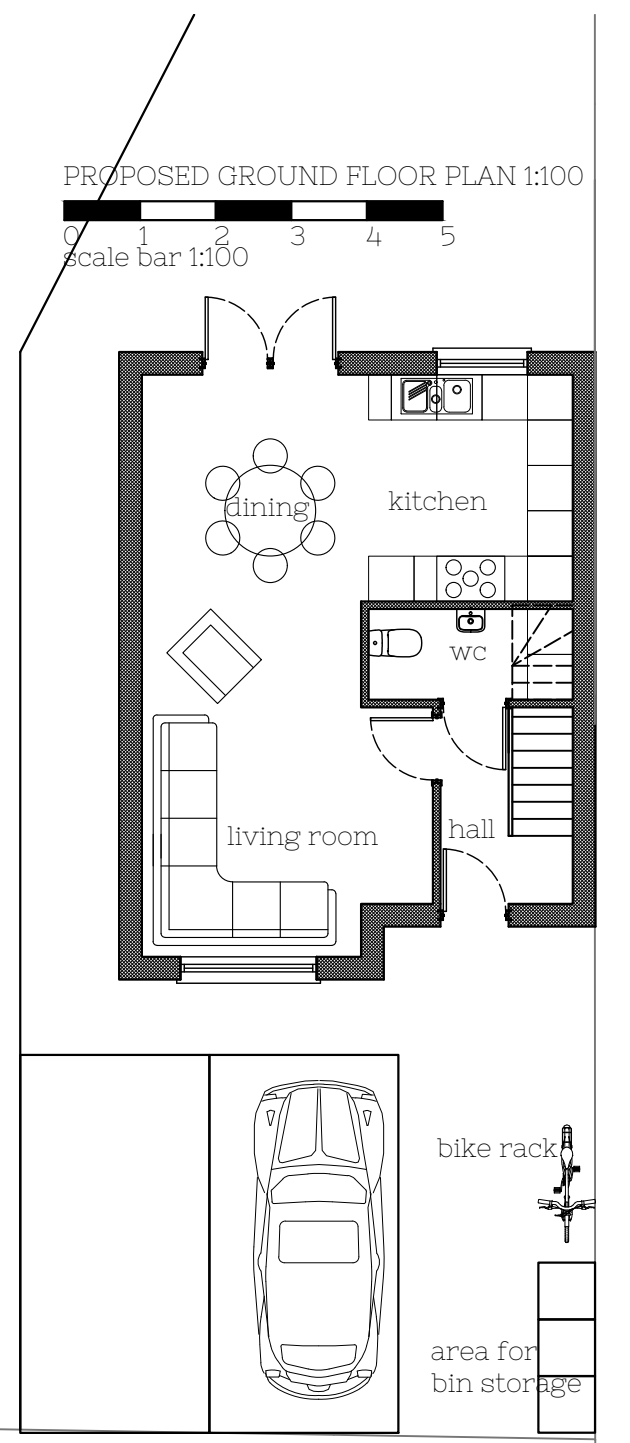
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EXISTING GROUND FLOOR PLAN 1:100

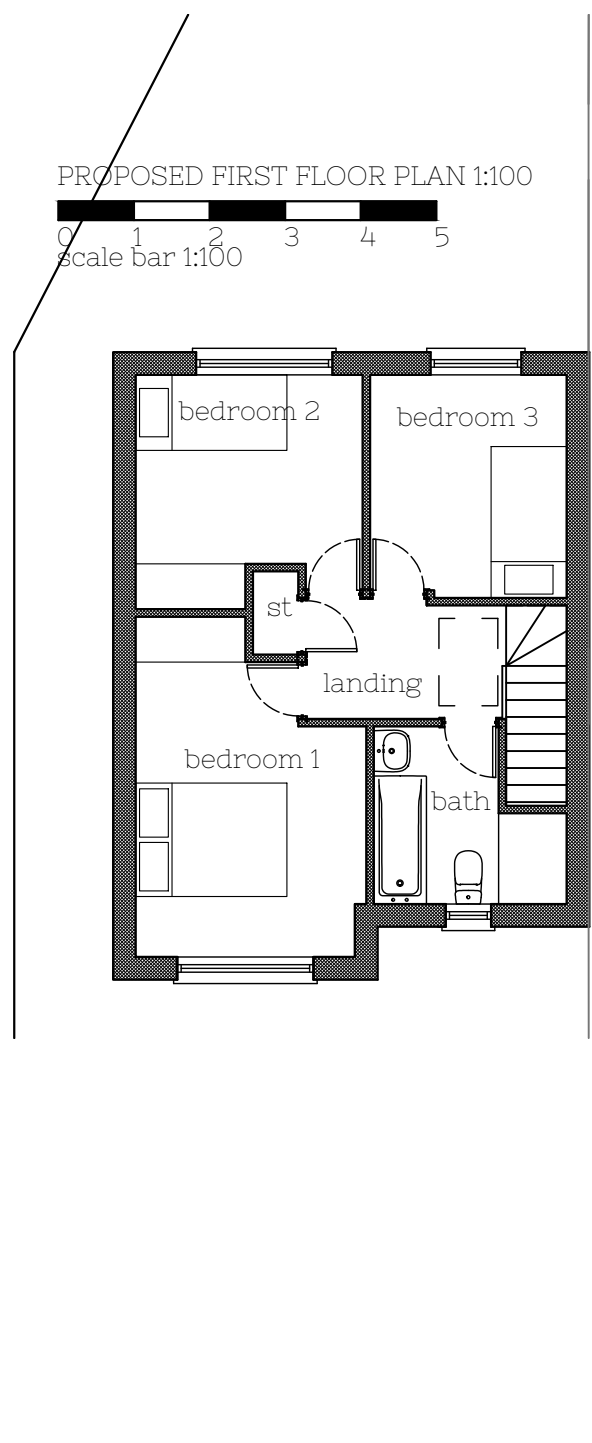
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EXISTING FLOOR AREA OF DWELLING = 87M²
AREA REQUIRED FOR PRIVATE GARDEN = 52M²
ACTUAL GARDEN AREA PROPOSED = 56M²



PROPOSED GROUND FLOOR PLAN 1:100

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scale bar 1:100

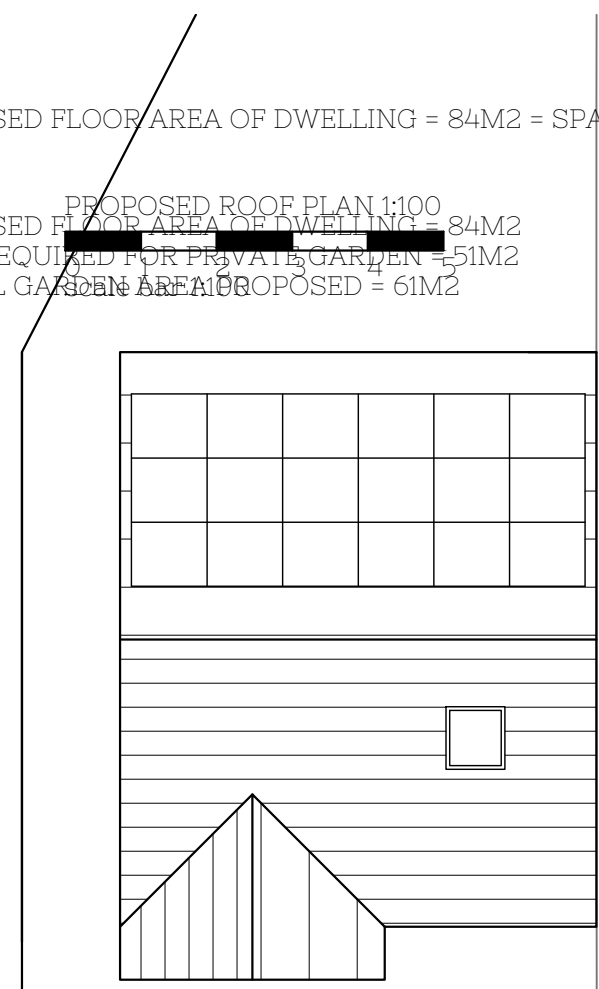


PROPOSED FIRST FLOOR PLAN 1:100

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scale bar 1:100

PROPOSED FLOOR AREA OF DWELLING = 84M² = SPACE STANDARDS FOR A TWO STOREY 3 BED DWELLING

PROPOSED FLOOR AREA OF DWELLING = 84M²
AREA REQUIRED FOR PRIVATE GARDEN = 52M²
ACTUAL GARDEN AREA PROPOSED = 61M²



PROPOSED ROOF PLAN 1:100

0 1 2 3 4 5
scale bar 1:100

08.08.2023 rev b
house mirrored and repositioned to appear less cramped, depth increased again to accommodate 3 bedrooms
one rooflight and solar panels added
19.07.23 rev A
dwelling set slightly further forward in plot and reduced in width to appear less cramped and avoid overshadowing existing dwelling rear windows. Size reduction means dwelling is 2 bed rather than 3.

ROBINSON
CLARK Ltd

ARCHITECT & BUILDING CONTRACTORS

PROJECT
New Dwelling

AT
on land adjacent to, 17 O'Connell Road, Eastleigh, SO50 9GN

FOR
Mr Michael

DRAWING TITLE
Site Location Plan 1:1250, Existing & Proposed Site Layout Plans 1:500, Existing and Proposed Plans, Site Section and Elevations 1:100 @ A1

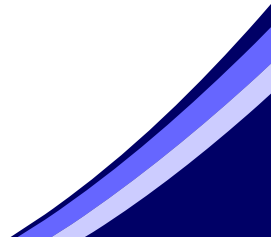
DATE
May 2023

JOB/DRAWING NUMBER
685/003 rev B

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NOTE - DRAFT DRAWING -
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UNTIL APPROVED BY BUILDING CONTROL

Appendix B



MR CHRIS SHIPPERLEY
CHAPEL STUDIOS
14 PUREWELL
CHRISTCHURCH
DORSET
BH23 1EP

Application	F/19/86587
Please ask for	Jagdeep Birk
Direct dial	023 8068 8123
Working hours	Mon to Fri 8:30am to 5pm
Email	jagdeep.birk@eastleigh.gov.uk

Wednesday 11 March 2020

Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure) (England)
Order 2015

Application No. F/19/86587

In pursuance of their powers under the above Act and in accordance with your application received on Thursday 3 October 2019 the Council, as Local Planning Authority hereby **Permit** the following :

Description: Erection of 1no. two bedroom house with parking.
Site: 20 SPENCER ROAD, EASTLEIGH, SO50 9GR

Subject to due compliance with the following conditions:

- 1 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.

- 2 The development hereby permitted shall be implemented in accordance with the following plans numbered: 9250/100 Rev B, 9250/101 Rev B.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 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) measures to control the emission of dust and dirt generated by demolition and construction works, including measures to prevent mud on the highway;
- b) a scheme for controlling noise and vibration from demolition and construction activities [including details of any piling];
- c) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway [including vehicle crossovers and grass verges]; and,
- d) provisions for material storage and contractor parking during the demolition and construction period.

Reason: To limit the impact the development has on the amenity of the locality

- 4 Prior to reaching Damp Proof Course (DPC) details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be 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.

- 5 The development hereby permitted shall not be brought into use until a minimum of 2 car parking spaces have been provided within the curtilage of the site of the new dwelling and 2 spaces within the curtilage of No. 20 Spencer Road in accordance with the approved plans. These shall thereafter be maintained and kept available for this purpose at all times.

Reason: To ensure the adequate provision of on site parking for the purpose of highway safety.

- 6 Prior to occupation of the dwelling hereby approved, the access onto Spencer Road, including the footway and/or verge crossing, shall be constructed in accordance with the approved plans.

Reason: To provide satisfactory access and in the interests of highway safety.

- 7 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.

- 8 Prior to the occupation of the dwelling hereby approved, as built stage SAP data and as built stage water calculator confirming energy efficiency and the predicted internal mains water consumption to achieve the following shall be submitted to and approved in writing by the Local Planning Authority: In respect

of energy efficiency, a standard of a 19% improvement of dwelling emission rate over the target emission rate as set in the 2013 Building Regulations In respect of water consumption, a maximum predicted internal mains water consumption of 105 litres/person/day. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To support a comprehensive approach to high quality design across the site; in line with the guidance set out in the Government's Ministerial Statement of 25 March 2015 which states that Local Planning Authorities should, from the date of its publication, take into account the government's intentions in the statement [and not set conditions with requirements above a Code level 4 equivalent

- 9 Prior to first occupation of the dwellinghouse hereby approved, written notification of the date of occupation shall be submitted to, and acknowledged by, the Local Planning Authority.

Reason: To enable the necessary nitrates mitigation to be put in place, to ensure the development does not adversely impact the integrity of the Solent Maritime SAC and Solent and Southampton SPA and Ramsar.

Note to Applicant: In accordance with paragraph 38 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.

Note to Applicant: It is requested that the building works are carried out considerately to minimise disruption to the occupiers of the neighbouring properties. The council operates a code of best practice, which is available on the council's website www.eastleigh.gov.uk by following the links to Planning, Guidance on the process, scroll down to Guidance on Aspects of the Planning & Construction Process and select considerate builders advice note.

Yours faithfully

A handwritten signature in black ink, appearing to read "A Grandfield".

Andy Grandfield
Head of Housing and Development

N.B. See Attached Notes

MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/19/86587

DESCRIPTION	Erection of 1no. two bedroom house with parking.
ADDRESS	20 SPENCER ROAD, EASTLEIGH, SO50 9GR

SITE VISIT DATE	1/5/19, 23/10/19
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes.

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application proposes the erection of a new detached dwelling. The proposed dwelling would have two bedrooms and parking to the front of the site.
SITE AREA	0.02 hectares
TOPOGRAPHY	Reasonable flat and level
TREES	None on site
BOUNDARY TREATMENT	Open frontage and hedge and fencing with number 18
SITE CHARACTERISTICS	The application site is the side garden of 20 Spencer Road. There is currently a single storey detached garage on site.
CHARACTER OF LOCALITY	The area is characterised by interwar housing comprising regular terraces interspersed with semi-detached pairs of dwellings. The Eastleigh Character Appraisal describes the area as displaying a strong character and this is evident in the uniform architectural rhythm and consistency of materials found at the site and on the estate in general. The dwellings have distinctive design and appearance, set back from the highway with front gardens.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Q/19/85404	Pre-application for the erection of 1no. two bedroom detached dwelling with garage and parking	Principle acceptable, design needs revising. 8/4/2019
F/05/54528	Land Adjacent to, 2 Spencer Road, Erection of 2 bed detached dwelling with attached garage	Granted 26/8/2005
F/12/70726	Land adjacent to 1 Spencer Road, Erection of 2 bed detached dwelling with attached garage	Granted 11/2/2014

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None received	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Hampshire Highways	The layout and positioning is acceptable, with a new dropped kerb proposed that exceeds 10.0m from the junction and does not result in the loss of any residential permit parking bays. It should however be noted by the applicant that future residents of the new development will not be entitled to join the EBC Residential Parking scheme, and as such will not be entitled to any resident or visitor roadside permits. Onwards, it is requested that the following condition is applied: No occupation of the development shall start on site until the access, including the footway and/or verge crossing shall be constructed in accordance with the approved plans. Reason - To provide satisfactory access and in the interests of highway safety

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Within the 5.6km buffer of the Solent & Southampton Water Special Protection Area

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

Eastleigh Borough Local Plan Review (2001-2011), saved policies 28.ES, 34.ES, 59.BE, 104.T

Submitted Eastleigh Borough Local Plan 2011 - 2029,
Submitted Eastleigh Borough Local Plan 2016-2036, policies DM1, DM2, DM14, DM23, DM32; this Development Plans carry moderate weight in the determination of this application.
Supplementary Planning Guidance: Quality Places (2011)
Supplementary Planning Document: Eastleigh Character Area Appraisal (2008)
Supplementary Planning Document: Planning Obligations (2005)
Supplementary Planning Document: Environmentally Sustainable Development (2009)
Supplementary Planning Document: Residential Parking Standards (2009)

CHARACTER APPRAISAL AREA

Eastleigh Character Area – ELAC 17

- Maintain the predominant plot widths and shallow building setbacks.
- Retain and extend the continuity in building line.
- Maintain the predominant hedge plot boundaries.
- Maintain a uniformity in building heights within the street.
- Ensure that new development relates effectively with the building features and materials prominent in existing development.

NATIONAL PLANNING POLICY GUIDANCE

Para 124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 127. Planning policies and decisions should ensure that developments: a) 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; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, trees, nature conservation, street scene and character of the area.

COMMENT ON CONSULTATION RESPONSES

COMMENT ON CONSULTATION RESPONSES

Noted

COMMENT ON REPRESENTATIONS RECEIVED

NA

PLANNING OBLIGATION/CONSIDERATIONS

The proposed development falls under the threshold for when planning obligations can be requested. However, the site is within the catchment area for the Solent Disturbance Mitigation Project, with the required payment having been secured via an up-front payment towards this Project which assists in managing recreational pressure on sensitive areas resulting from new development.

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."

MATERIAL CONSIDERATIONS

Development Plan Policies

Eastleigh Borough Local Plan Review (2001-2011)

Saved Policy 28.ES requires that provision should be made in the design and layout of housing developments for the storage and collection of domestic waste and recyclable materials and that these must be sited in locations that would not give rise to disturbance to the occupiers of residential property.

Saved Policy 34.ES requires that development makes an appropriate contribution towards the Government's target to reduce levels of carbon dioxide and other greenhouse gases in the atmosphere.

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 both in relation to themselves and in relation to adjoining buildings, spaces and views, natural features and trees worthy of retention. 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.

Saved Policy 104.T requires that adequate off-highway parking is provided to serve new development.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Principle, Layout, Design and Impact upon the Character and Appearance of the Area

Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011) and Policy DM1 of the Submitted Eastleigh Borough Local Plan 2016-2036 requires development to take full and proper account of the context of the site including the character and appearance of the locality. This requirement is reiterated within the guidance contained within the Council's adopted Quality Places Supplementary Planning Document, as well as in the NPPF.

The Quality Places states that the proportions of a building consist of the position and relative size of the different elements of the building when viewed from outside, when the proportions are right, none of the elements appear out of synch with the others.

The dwelling would be an infill development which is not uncommon form of development within the surrounding area, in 2005 consent was given for a dwelling adjacent to 2 Spencer Road in 2005 and in 2014 consent was given for one dwelling adjacent to 1 Spencer Road. The application site is contained within Eastleigh Character Area appraisal SPD where the houses are placed in a grid system with two semi-detached properties occupying corner plots which add to the sense of space and openness. The houses on Spencer Road are clusters of terraced and two storey dwellings, with a two storey projecting gable some with a catslide design; this designs of the dwellings have created a strong distinctive character. Front gardens are characteristic of the locality with some dwellings providing off road parking. The design of the dwelling will replicate neighbouring properties with a projecting two storey with materials to match. The dwelling will be set back from the highway and inline with numbers 18 and 20, where there will be three metres separating the dwelling from number 18 and 3-6 metres separation distance to number 20 with two off road parking spaces.

Residential Amenity

To assist with assessing the impact of a development on neighbouring properties Supplementary Planning Guidance: Quality Places has been produced which gives guidance on overlooking, loss of light, amenity space for new dwellings and refuse storage. Residential amenity addresses two main areas; the impact of that proposed upon existing neighbouring properties and the quality of environment created for future occupiers of the development.

The Nationally Described Space Standards state that a two bed dwelling suitable for accommodating three people should have a gross floor area of 79m². The floor space would be 76m² which is a very minor shortfall and acceptable.

The Council's SPD states that for houses, the minimum for private amenity space of at least 60% of the floor space will be required, proposal exceeds this at 76m² which meets the 'Quality Places' SPD requirements.

The Quality Places SPD states that relative heights and separation of buildings should be adjusted to ensure that the windows of neighbouring properties enjoy reasonable light. Mutual overlooking to and from other neighbours within Spencer Road and Derby Road is an established site circumstance and is expected in urban areas.

The application of the 45 Degree Code which checks the impact a development would have to the light and outlook to a neighbours habitable windows; no undue harm was demonstrated to 18 and 20 Spencer Road.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Highway Matters

In accordance with the requirements of Saved Policy 59.BE (v.) of the adopted Local Plan, the development should provide a satisfactory means of access and layout for vehicles on the site. In support of this policy requirement, the Council has adopted a Supplementary Planning Document entitled 'Residential Parking Standards' which sets out the level of parking necessitated for different sized dwellings, with this being related to the number of bedrooms contained within the property. For a 2 bedroom dwelling 2 spaces would be required, the submitted plans show space at the front of the site for at least two cars for number 20 and the new dwelling. Off road parking/dropped kerb should be set back by at least ten metres from a junction, Hampshire Highways have confirmed this is acceptable and have requested a condition be attached requiring this.

Bin Storage

In addition to suitable parking and access arrangement, any new residential development should also make appropriate provision within the curtilage of the site for secure storage of bicycles (as required by Saved Policy 59.BE (vi.)) as well as for the storage and collection of domestic waste and recyclable materials in a location that would not give rise to disturbance to the occupier of residential properties (as required by Saved Policy 28.ES). Space is shown on the proposed site place therefore there is no concern with this aspect of the application.

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 intention 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.

Special Protection Area-Recreational Disturbance Zone

The proposal is 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 5.6km buffer zone for the Solent SPA. A contribution has been secured to mitigate the increased recreational pressure resulting from the development which has been agreed as a suitable approach by Natural England. An Appropriate Assessment (AA) has been undertaken by the Council as the Appropriate Authority to assess whether the proposal is likely to have a significant (adverse) impact on these protected sites, and contribution has been secured.

Nutrient Neutrality

The water environment within the Solent region is one of the most important for wildlife in the United Kingdom. The Solent water environment is internationally important for its wildlife and is protected under the Water Environment Regulations and the Conservation of

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Habitats and Species Regulations as well as national protection for many parts of the coastline and their sea. There are high levels of nitrogen and phosphorus input to this water environment with sound evidence that these nutrients are causing eutrophication at these designated sites. These nutrient inputs are currently caused mostly by wastewater from existing housing and agricultural sources. The resulting dense mats of green algae are impacting on the Solent's protected habitats and bird species.

Natural England have advised on new residential development, there is currently uncertainty over whether mitigation will be required to address the existing levels of nitrogen and phosphorus input to the water environment, causing eutrophication at the international sites of Solent & Southampton Water Special Protection Area (SPA) and Ramsar site and the Solent Maritime Special Area of Conservation (SAC). Therefore, in light of this uncertainty and for confidence that the development will be deliverable, it is Natural England's advice that proposed residential developments achieve nutrient neutrality. To this end, Natural England have published draft methodology to calculate nitrate levels and for new development recommend information is provided regarding the existing and predicted levels of nitrates leaching into the water environment to give a "nutrient budget", and that this budget should be able to demonstrate no increase in nutrients, known as "nutrient neutrality". Where an increase in nutrient levels is expected, Natural England advise mitigation should be devised prior to issuing a decision to offset this increase and ensure the protected habitats are protected. Following recent case law, the Council are no longer able to condition mitigation details be provided post permission being granted.

As the competent authority the Council has considered the implications from this development by undertaking a HRA as required by Article 6 of the EC Habitats Directive 1992, and interpreted into British law by the Conservation of Habitats and Species Regulations 2017. The development would have a positive nitrogen budget and the mitigation for the development will be by offset by taking out land out of high intensity agricultural land associated with the consented Horton Heath development. Natural England had questioned the land use category as to whether it is 'general cropping' or mixed land use. The land use can be confirmed as being one of 'mixed use', the budget calculation was re-done which showed there to be no change to the nitrogen budget and to confirm Natural England had no concern with the calculations.

CONCLUSIONS

The recommendation is to permit.

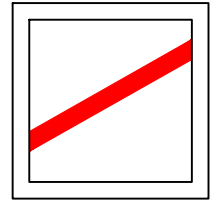
PROPOSED INDICATIVE STREET SCENE
SCALE 1:100



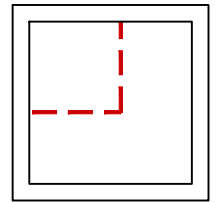
NOTES

- 1 The contents of this drawing are copyright.
- 2 'scaled drawings for planning purposes only'
- 3 Contractors must verify all dimensions and report any discrepancies before putting work in hand or making any shop drawings.
- 4 All flat roofs to be fitted with a man safe system.
- 5 Please note a domestic sprinkler system maybe required
- 6 Fixed shut fire safety glass windows may be required where windows are in close proximity to boundaries (subject to building regulations)

LEGEND

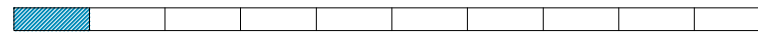


SITE BOUNDARY



EXISTING BUILDING TO BE DEMOLISHED

10m @ 1:100



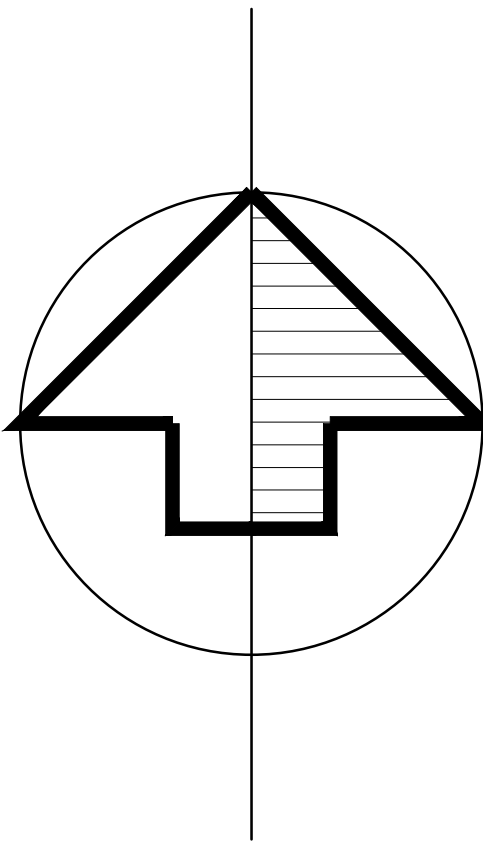
10m @ 1:200



25m @ 1:500



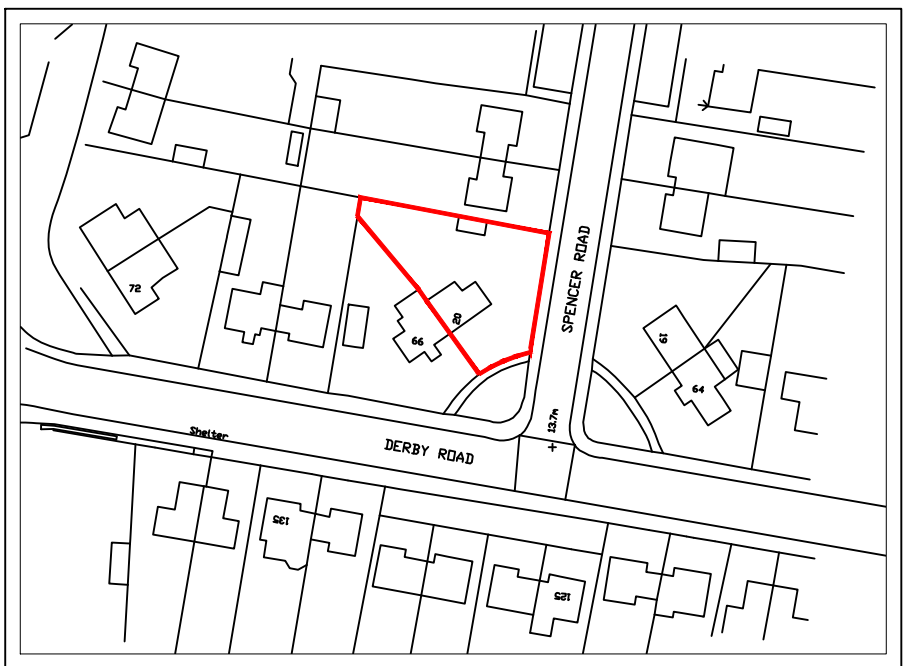
50m @ 1:1250



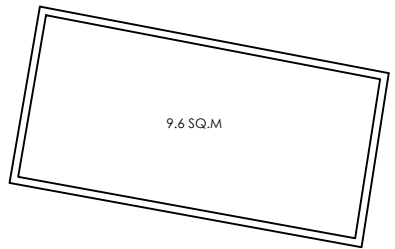
SITE PLAN
BASED ON TOPO INFORMATION
SCALE 1:200



BLOCK PLAN
BASED ON O.S INFORMATION
SCALE 1:500
O.S LICENCE NUMBER 100007080



LOCATION PLAN
BASED ON O.S INFORMATION
SCALE 1:1250
O.S LICENCE NUMBER 100007080



EXISTING GARAGE TO
BE DEMOLISHED
SCALE 1:100

SITE AREA: 0.049 HECTARES / 0.12 ACRES
1 X 2 BED HOUSE
4 X PARKING SPACES (2 FOR PROPOSED & 2 FOR EXISTING)

B ROOF PLAN REVISED 26.09.19 GR
A REVISED ROOF PLAN SHOWN ON SITE. 17.09.19 JA
REVISED ELEVATION SHOWN ON STREET
SCENE. SITE PLAN SHOWN ON TOPO.

No.	Revision.	date	by
-----	-----------	------	----

20 SPENCER ROAD
EASTLEIGH
HAMPSHIRE
SO50 9GR

SITE, BLOCK, LOCATION PLAN &
EXISTING GARAGE TO BE DEMOLISHED

scale AS SHOWN @ A1 checked
date SEPT 2019 drawn GR

9250/100

ARC Architecture Ltd.

Chapel Studios, 14 Purewell,
Christchurch, Dorset, BH23 1EP

Tel: +44 (0) 1202 479919
E-mail: enquiries@andersrobertscheer.co.uk
Web: www.andersrobertscheer.co.uk



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4 All flat roofs to be fitted with a man safe system.
5 Please note a domestic sprinkler system maybe required
6 Fixed shut fire safety glass windows may be required where windows are in close proximity to boundaries (subject to building regulations)

MATERIALS SCHEDULE

WALLS: RED BRICK
WINDOWS: UPVC
ROOF: CONCRETE ROOF TILES

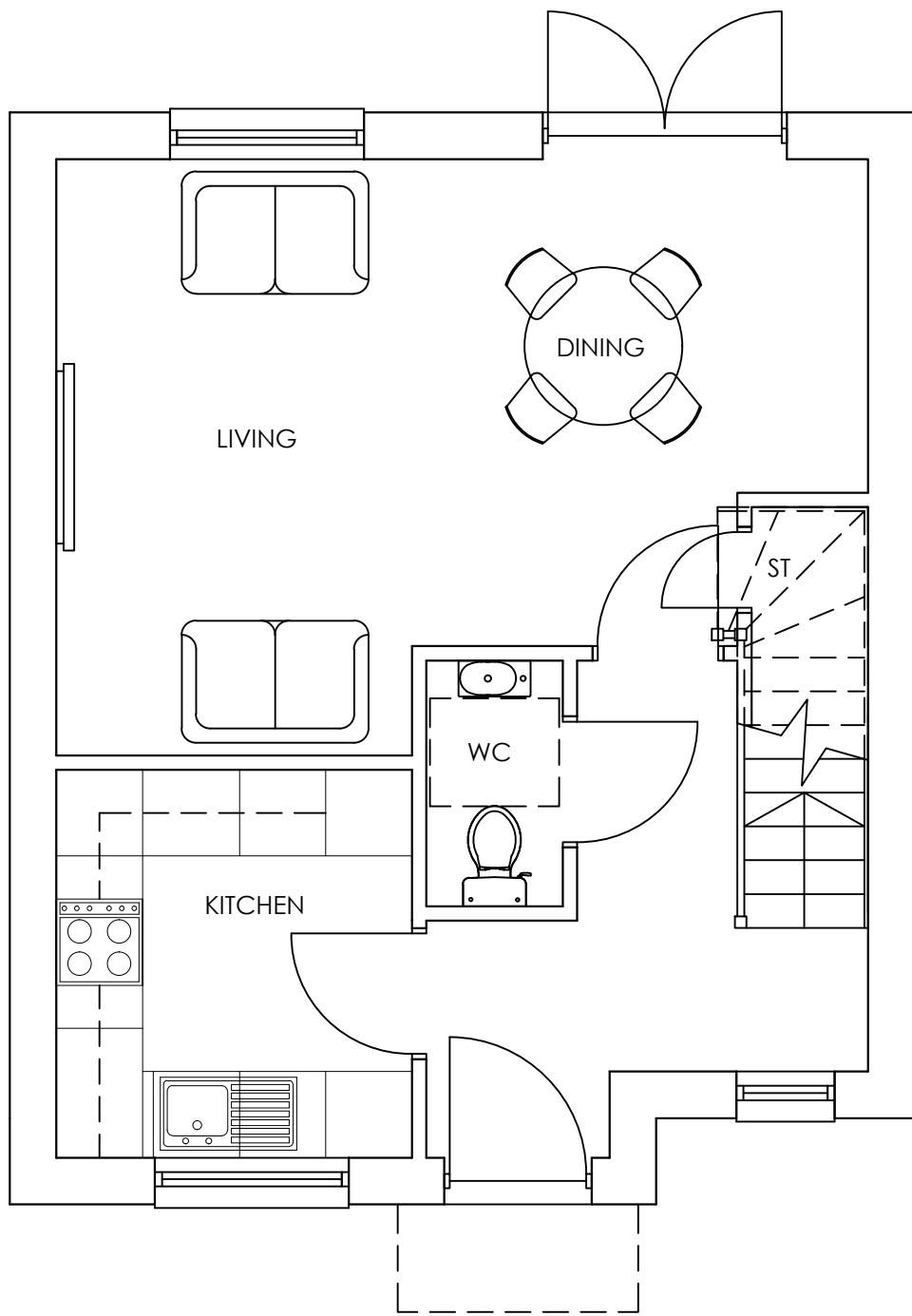


PROPOSED EAST ELEVATION
SCALE 1:100

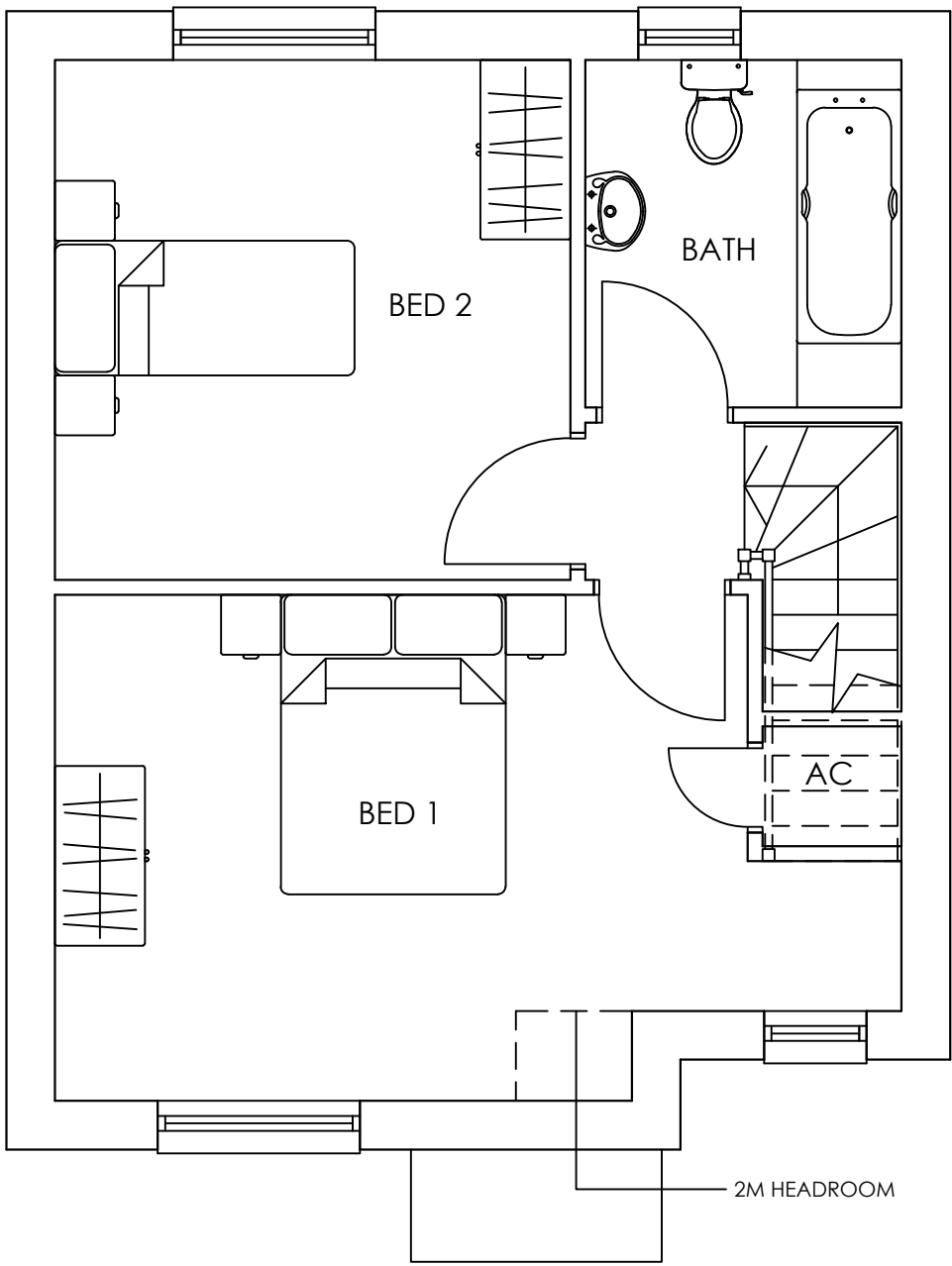
PROPOSED NORTH ELEVATION
SCALE 1:100

PROPOSED WEST ELEVATION
SCALE 1:100

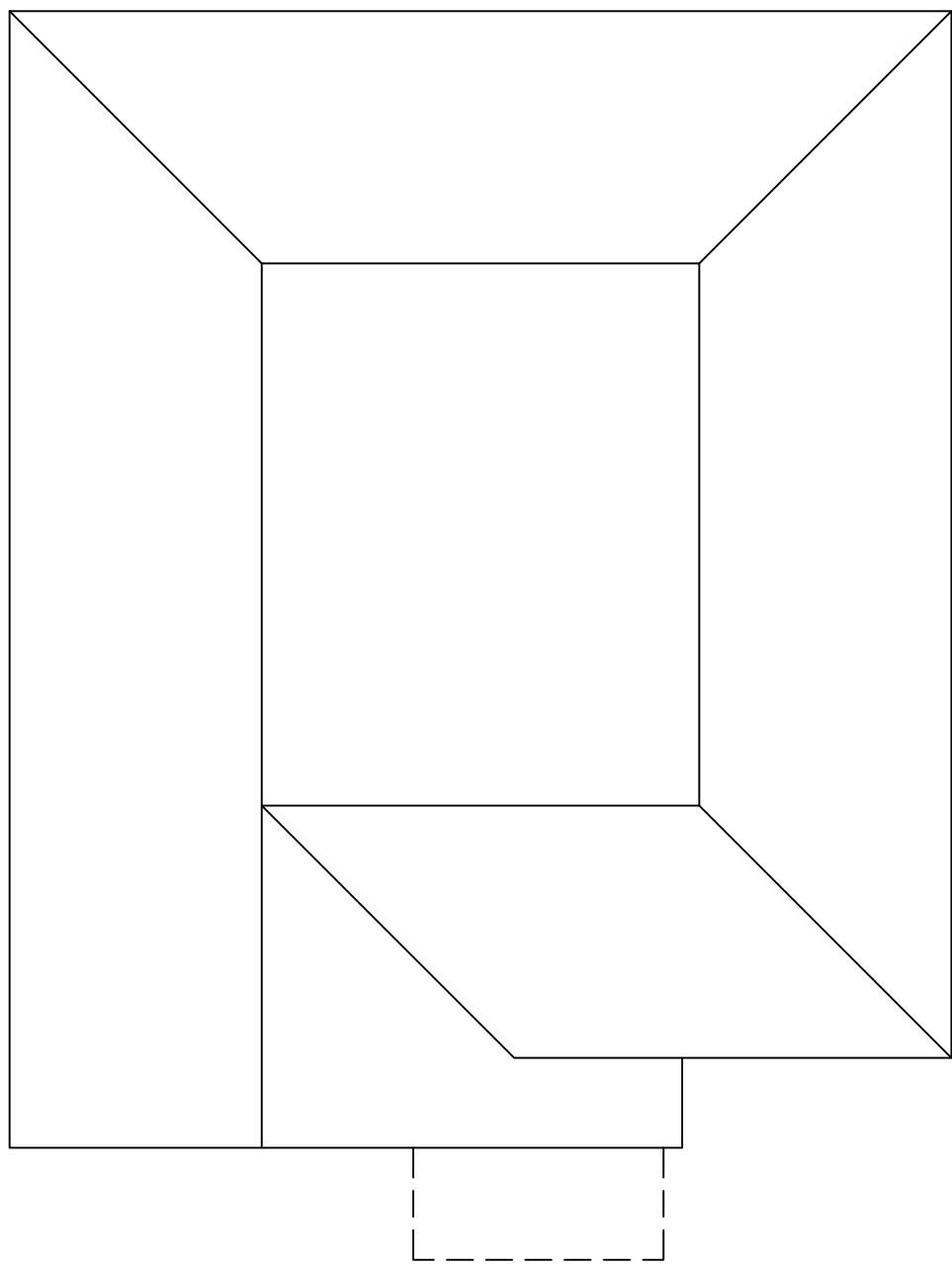
PROPOSED SOUTH ELEVATION
SCALE 1:100



PROPOSED GROUND FLOOR PLAN
SCALE 1:50



PROPOSED FIRST FLOOR PLAN
SCALE 1:50



PROPOSED ROOF PLAN
SCALE 1:50

1 X 2 BEDROOM HOUSE @ 76.2 SQ.M / 819 SQ.FT			
B	ROOF REVISED.	26.09.19	GR
A	ROOF REVISED.	17.09.19	JA
No.	Revision.	date	by

20 SPENCER ROAD
EASTLEIGH
HAMPSHIRE
SO50 9GR

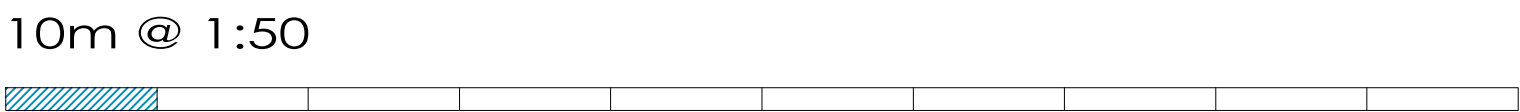
PLANS & ELEVATIONS

scale	AS SHOWN @ A1	checked	
date	SEPT 2019	drawn	GR
9250/101		A	B

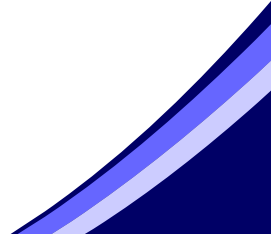
ARC Architecture Ltd.

Chapel Studios, 14 Purewell,
Christchurch, Dorset, BH23 1EP

Tel: +44 (0) 1202 479919
E-mail: enquires@andersrobertscheer.co.uk
Web: www.andersrobertscheer.co.uk



Appendix C



MR CHRIS SHIPPERLEY
CHAPEL STUDIOS
14 PUREWELL
CHRISTCHURCH
DORSET
BH23 1EP

Application	F/20/88075
Please ask for	Jagdeep Birk
Direct dial	023 8068 8123
Working hours	Mon to Fri 8:30am to 5pm
Email	jagdeep.birk@eastleigh.gov.uk

Friday 16 October 2020

Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure) (England)
Order 2015

Application No. F/20/88075

In pursuance of their powers under the above Act and in accordance with your application received on Tuesday 23 June 2020 the Council, as Local Planning Authority hereby **Permit** the following :

Description: Erection of 1no. three bedroom dwelling with parking.
Site: 20 SPENCER ROAD, EASTLEIGH, SO50 9GR

Subject to due compliance with the following conditions:

- 1 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.

- 2 The development hereby permitted shall be implemented in accordance with the following plans numbered: 9250/200, 9250/201.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 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) measures to control the emission of dust and dirt generated by demolition and construction works, including measures to prevent mud on the highway;
- b) a scheme for controlling noise and vibration from demolition and construction activities [including details of any piling];
- c) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway [including vehicle crossovers and grass verges]; and,
- d) provisions for material storage and contractor parking during the demolition and construction period.

Reason: To limit the impact the development has on the amenity of the locality

- 4 Prior to reaching Damp Proof Course (DPC) details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be 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.

- 5 The development hereby permitted shall not be brought into use until a minimum of 2 car parking spaces have been provided within the curtilage of the site of the new dwelling and 2 spaces within the curtilage of No. 20 Spencer Road in accordance with the approved plans. These shall thereafter be maintained and kept available for this purpose at all times.

Reason: To ensure the adequate provision of on site parking for the purpose of highway safety.

- 6 Prior to occupation of the dwelling hereby approved, the access onto Spencer Road, including the footway and/or verge crossing, shall be constructed in accordance with the approved plans.

Reason: To provide satisfactory access and in the interests of highway safety

- 7 Prior to the occupation of the dwelling hereby approved, as built stage SAP data and as built stage water calculator confirming energy efficiency and the predicted internal mains water consumption to achieve the following shall be submitted to and approved in writing by the Local Planning Authority: In respect of energy efficiency, a standard of a 19% improvement of dwelling emission rate over the target emission rate as set in the 2013 Building Regulations In respect of water consumption, a maximum predicted internal mains water consumption of 105 litres/person/day. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To support a comprehensive approach to high quality design across the site; in line with the guidance set out in the Government's Ministerial Statement of 25 March 2015 which states that Local Planning Authorities should, from the date of its publication, take into account the government's intentions in the statement [and not set conditions with requirements above a Code level 4 equivalent

- 8 Prior to first occupation of the dwellinghouse hereby approved, written notification of the date of occupation shall be submitted to, and acknowledged by, the Local Planning Authority.

Reason: To enable the necessary nitrates mitigation to be put in place, to ensure the development does not adversely impact the integrity of the Solent Maritime SAC and Solent and Southampton SPA and Ramsar.

- 9 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: the permission does not authorise the undertaking of any works involving excavations in the carriageway, footway or verge. A road opening permit must be obtained from Hampshire Highways, HCC call centre number 0845 6035633.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (February 2019), 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.

Note to Applicant: It is requested that the building works are carried out considerately to minimise disruption to the occupiers of the neighbouring properties. The council operates a code of best practice, which is available on the council's website www.eastleigh.gov.uk by following the links to Planning, Guidance on the process, scroll down to Guidance on Aspects of the Planning & Construction Process and select considerate builders advice note.

- 13 All boundary treatments adjoining the highway shall be retained at no more than one metre in height and retained in this manner thereafter.

Reason: to allow for adequate visibility splays in the interests of highway safety.

Yours faithfully

A handwritten signature in black ink, appearing to read "Andy Grandfield", written in a cursive style.

Andy Grandfield
Head of Housing and Development

N.B. See Attached Notes

MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/20/88075

DESCRIPTION	Erection of 1no. three bedroom house with parking.
ADDRESS	20 SPENCER ROAD, EASTLEIGH, SO50 9GR

SITE VISIT DATE	1/5/19, 23/10/19, September 2020
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes.

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application proposes the erection of a new detached dwelling. The proposed dwelling would have three bedrooms and parking to the front of the site.
SITE AREA	0.02 hectares
TOPOGRAPHY	Reasonable flat and level
TREES	None on site
BOUNDARY TREATMENT	Open frontage and hedge and fencing with number 18
SITE CHARACTERISTICS	The application site is the side garden of 20 Spencer Road. There is currently a single storey detached garage on site.
CHARACTER OF LOCALITY	The area is characterised by interwar housing comprising regular terraces interspersed with semi-detached pairs of dwellings. The Eastleigh Character Appraisal describes the area as displaying a strong character and this is evident in the uniform architectural rhythm and consistency of materials found at the site and on the estate in general. The dwellings have distinctive design and appearance, set back from the highway with front gardens.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/19/86587	Erection of 1no. two bedroom house with parking.	Granted 28/2/2020
Q/19/85404	Pre-application for the erection of 1no. two bedroom detached dwelling with garage and parking	Principle acceptable, design needs revising. 8/4/2019
F/05/54528	Land Adjacent to, 2 Spencer Road, Erection of 2 bed detached dwelling with attached garage	Granted 26/8/2005
F/12/70726	Land adjacent to 1 Spencer Road, Erection of 2 bed detached dwelling with attached garage	Granted 11/2/2014

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None received	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Hampshire Highways	The parking space for the existing property is labelled 'GRASS' in the site plan, while the back garden is labelled 'CONC/SLABS'; it is assumed that this is an error as grass would not be a suitable surface for parking. Tarmac or bonded gravel is recommended, While parking is the responsibility of EBC as local parking authority, it appears that the parking quantum is in line with the EBC Residential Parking Standards. In addition, the case officer is asked to ensure that cycle storage is provided to local standards. Bin stores are not indicated for the existing property. Access The proposed new vehicular crossover is situated a sufficient distance from the junction and would not create any highway safety issues. The hedge between the two parking areas is labelled on the diagram as 1m in height; ideally the hedge should be maintained at no more than 90cm, in order to maintain full visibility at all times. Whilst HCC Highways Development Planning has no objection in principle to the proposed dropped kerb, the developer should be made aware that subject to any planning permission that may be granted by the Local Planning Authority, a subsequent permission will need to be granted by HCC as Highways Authority to undertake the dropped kerb works on the highway. Details of this

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	procedure can be found via the following link: https://www.hants.gov.uk/transport/parking/droppedkerbs LPA response Previous condition will also be used
Natural England	Natural England concurs with the calculation submitted and has no further comment to make on this proposal.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Within the 5.6km buffer of the Solent & Southampton Water Special Protection Area

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

Eastleigh Borough Local Plan Review (2001-2011), saved policies 28.ES, 34.ES, 59.BE, 104.T Submitted Eastleigh Borough Local Plan 2011 – 2029 Submitted Eastleigh Borough Local Plan 2016-2036 , policies DM1, DM2, DM14, DM23, DM32; this Development Plans carry moderate weight in the determination of this application. Supplementary Planning Guidance: Quality Places (2011) Supplementary Planning Document: Eastleigh Character Area Appraisal (2008) Supplementary Planning Document: Planning Obligations (2005) Supplementary Planning Document: Environmentally Sustainable Development (2009) Supplementary Planning Document: Residential Parking Standards (2009)
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CHARACTER APPRAISAL AREA

Eastleigh Character Area – ELAC 17 • Maintain the predominant plot widths and shallow building setbacks. • Retain and extend the continuity in building line. • Maintain the predominant hedge plot boundaries. • Maintain a uniformity in building heights within the street. • Ensure that new development relates effectively with the building features and materials prominent in existing development.

NATIONAL PLANNING POLICY GUIDANCE

Para 124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 127. Planning policies and decisions should ensure that developments: a) 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; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, trees, nature conservation, street scene and character of the area.

COMMENT ON CONSULTATION RESPONSES

Noted

PLANNING OBLIGATION/CONSIDERATIONS

The proposed development falls under the threshold for when planning obligations can be requested. However, the site is within the catchment area for the Solent Disturbance Mitigation Project, with the required payment having been secured via an up-front payment towards the consented 2019 application.

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."

MATERIAL CONSIDERATIONS

Development Plan Policies

Eastleigh Borough Local Plan Review (2001-2011)

Saved Policy 28.ES requires that provision should be made in the design and layout of housing developments for the storage and collection of domestic waste and recyclable materials and

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

that these must be sited in locations that would not give rise to disturbance to the occupiers of residential property.

Saved Policy 34.ES requires that development makes an appropriate contribution towards the Government's target to reduce levels of carbon dioxide and other greenhouse gases in the atmosphere.

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 both in relation to themselves and in relation to adjoining buildings, spaces and views, natural features and trees worthy of retention. 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.

Saved Policy 104.T requires that adequate off-highway parking is provided to serve new development.

Principle, Layout, Design and Impact upon the Character and Appearance of the Area

This application has been submitted following an approval in 2019 for a two bed dwelling, this application is in effect seeking an amendment to that approval to allow for a three bed dwelling which would involve internal configuration. The scale and footprint of the dwelling will remain as approved and for that reason the report is similar to the 2019 approval and updates made where needed.

Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011) and Policy DM1 of the Submitted Eastleigh Borough Local Plan 2016-2036 requires development to take full and proper account of the context of the site including the character and appearance of the locality. This requirement is reiterated within the guidance contained within the Council's adopted Quality Places Supplementary Planning Document, as well as in the NPPF.

The Quality Places states that the proportions of a building consist of the position and relative size of the different elements of the building when viewed from outside, when the proportions are right, none of the elements appear out of synch with the others.

The dwelling would be an infill development which is not uncommon form of development within the surrounding area, in 2005 consent was given for a dwelling adjacent to 2 Spencer Road in 2005 and in 2014 consent was given for one dwelling adjacent to 1 Spencer Road. The application site is contained within Eastleigh Character Area appraisal SPD where the houses are placed in a grid system with two semi-detached properties occupying corner plots which add to the sense of space and openness. The houses on Spencer Road are clusters of terraced and two storey dwellings, with a two storey projecting gable some with a catslide design; this design feature has created a strong distinctive character. Front gardens are characteristic of the locality with some dwellings providing off road parking. The design of the dwelling will replicate neighbouring properties with a projecting two storey with materials to match. The dwelling will be set back from the highway and in-line with numbers 18 and 20, where there will

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

be three metres separating the dwelling from number 18 and 3-6 metres separation distance to number 20 with two off road parking spaces.

Residential Amenity

To assist with assessing the impact of a development on neighbouring properties Supplementary Planning Guidance: Quality Places has been produced which gives guidance on overlooking, loss of light, amenity space for new dwellings and refuse storage. Residential amenity addresses two main areas; the impact of that proposed upon existing neighbouring properties and the quality of environment created for future occupiers of the development.

The Nationally Described Space Standards state that a two bed dwelling suitable for accommodating three people should have a gross floor area of 79m². The floor space would be 76m² which is a very minor shortfall and acceptable.

The Council's SPD states that for houses, the minimum for private amenity space of at least 60% of the floor space will be required, proposal exceeds this at 76m² which meets the 'Quality Places' SPD requirements.

The Quality Places SPD states that relative heights and separation of buildings should be adjusted to ensure that the windows of neighbouring properties enjoy reasonable light. Mutual overlooking to and from other neighbours within Spencer Road and Derby Road is an established site circumstance and is expected in urban areas.

The application of the 45 Degree Code which checks the impact a development would have to the light and outlook to a neighbours habitable windows; no undue harm was demonstrated to 18 and 20 Spencer Road.

Highway Matters

In accordance with the requirements of Saved Policy 59.BE (v.) of the adopted Local Plan, the development should provide a satisfactory means of access and layout for vehicles on the site. In support of this policy requirement, the Council has adopted a Supplementary Planning Document entitled 'Residential Parking Standards' which sets out the level of parking necessitated for different sized dwellings, with this being related to the number of bedrooms contained within the property. For a 2 bedroom dwelling 2 spaces would be required, the submitted plans show space at the front of the site for at least two cars for number 20 and the new dwelling. Off road parking/dropped kerb should be set back by at least ten metres from a junction, Hampshire Highways have confirmed this is acceptable and have requested a condition be attached requiring this. The plans show the height of the hedge to be one metre in height, Hampshire Highways have commented that the hedge should be maintained at no more than 90cm, in order to maintain full visibility at all times. This was not queried by the previous highways officer but will be conditioned to reflect the height requirement/maintenance.

Bin Storage

In addition to suitable parking and access arrangement, any new residential development should also make appropriate provision within the curtilage of the site for secure storage of bicycles (as required by Saved Policy 59.BE (vi.)) as well as for the storage and collection of domestic waste and recyclable materials in a location that would not give rise to disturbance to

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

the occupier of residential properties (as required by Saved Policy 28.ES). Space is shown on the proposed site plan therefore there is no concern with this aspect of the application.

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 intention 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.

Special Protection Area-Recreational Disturbance Zone

The proposal is 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 5.6km buffer zone for the Solent SPA. A contribution has been secured to mitigate the increased recreational pressure resulting from the development which has been agreed as a suitable approach by Natural England. An Appropriate Assessment (AA) was undertaken by the Council as the Appropriate Authority for the 2019 application to assess whether the proposal is likely to have a significant (adverse) impact on these protected sites, and contribution was secured which will transfer to this application.

Nutrient Neutrality

The water environment within the Solent region is one of the most important for wildlife in the United Kingdom. The Solent water environment is internationally important for its wildlife and is protected under the Water Environment Regulations and the Conservation of Habitats and Species Regulations as well as national protection for many parts of the coastline and their sea. There are high levels of nitrogen and phosphorus input to this water environment with sound evidence that these nutrients are causing eutrophication at these designated sites. These nutrient inputs are currently caused mostly by wastewater from existing housing and agricultural sources. The resulting dense mats of green algae are impacting on the Solent's protected habitats and bird species.

Natural England have advised on new residential development, there is currently uncertainty over whether mitigation will be required to address the existing levels of nitrogen and phosphorus input to the water environment, causing eutrophication at the international sites of Solent & Southampton Water Special Protection Area (SPA) and Ramsar site and the Solent Maritime Special Area of Conservation (SAC). Therefore, in light of this uncertainty and for confidence that the development will be deliverable, it is Natural England's advice that proposed residential developments achieve nutrient neutrality. To this end, Natural England have published methodology to calculate nitrate levels and for new development recommend information is provided regarding the existing and predicted levels of nitrates leaching into the water environment to give a "nutrient budget", and that this budget should be able to demonstrate no increase in nutrients, known as "nutrient neutrality". Where an increase in nutrient levels is expected, Natural England advise mitigation should be devised

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

prior to issuing a decision to offset this increase and ensure the protected habitats are protected. Following recent case law, the Council are no longer able to condition mitigation details be provided post permission being granted.

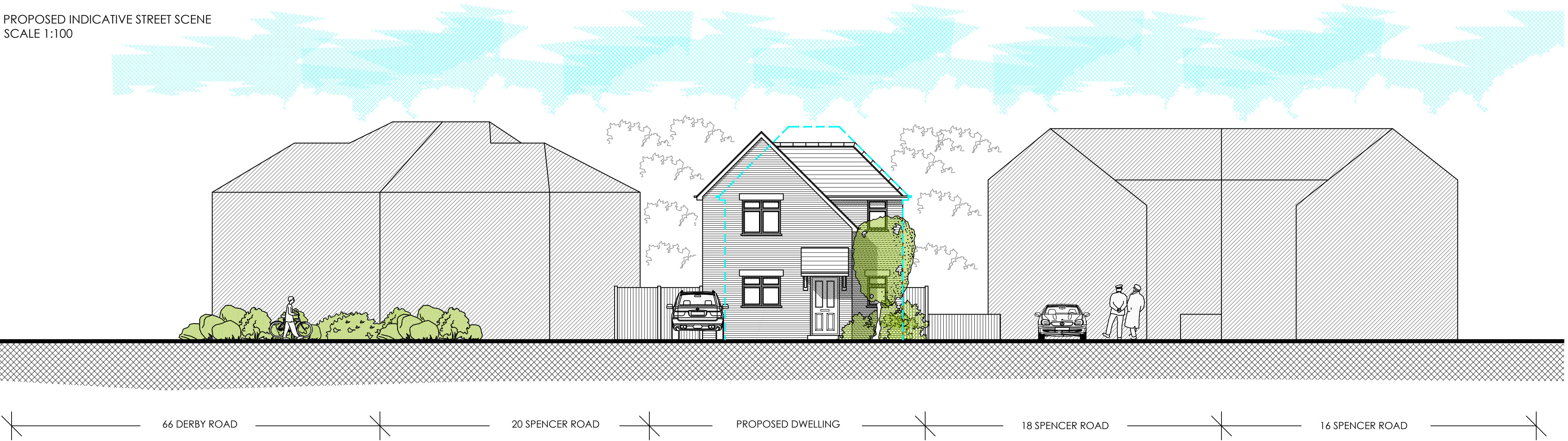
The Council has considered the implications from this development by undertaking a HRA as required by Article 6 of the EC Habitats Directive 1992, and interpreted into British law by the Conservation of Habitats and Species Regulations 2017. The development would have a positive nitrogen budget and the mitigation for the development will be by offset by taking out land out of high intensity agricultural land associated with the consented Horton Heath development for which the developer has paid contributions towards.

An updated calculation was submitted to Natural England who raised no objection to the mitigation via a financial contribution and did not seek an updated HRA and confirmed the one undertaken for the approved 2019 application was sufficient.

CONCLUSIONS

The recommendation is to permit.

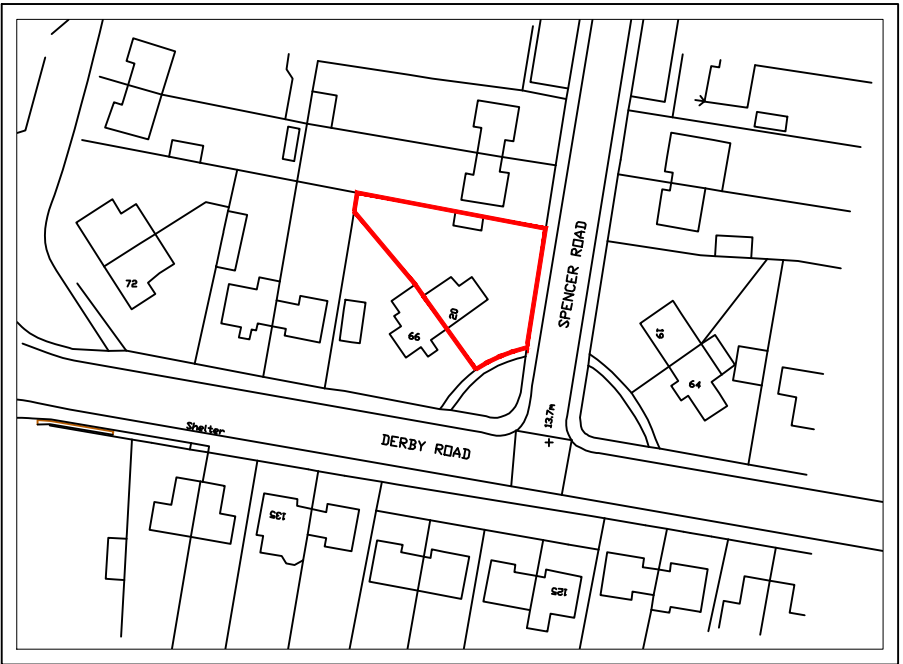
PROPOSED INDICATIVE STREET SCENE
SCALE 1:100



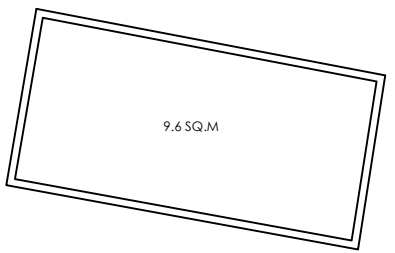
SITE PLAN
BASED ON TOPO INFORMATION
SCALE 1:200



BLOCK PLAN
BASED ON O.S. INFORMATION
SCALE 1:500
O.S. LICENCE NUMBER 100007080



LOCATION PLAN
BASED ON O.S. INFORMATION
SCALE 1:1250
O.S. LICENCE NUMBER 100007080

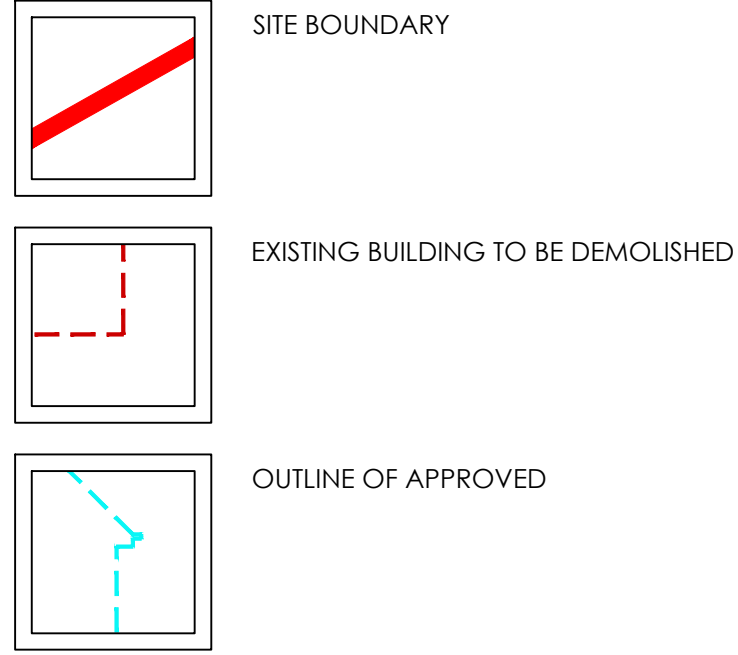


EXISTING GARAGE TO
BE DEMOLISHED
SCALE 1:100

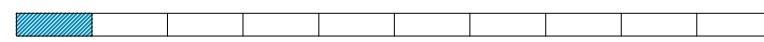
NOTES

- 1 The contents of this drawing are copyright.
- 2 'scaled drawings for planning purposes only'
- 3 Contractors must verify all dimensions and report any discrepancies before putting work in hand or making any shop drawings.
- 4 All flat roofs to be fitted with a man safe system.
- 5 Please note a domestic sprinkler system may be required
- 6 Fixed shut fire safety glass windows may be required where windows are in close proximity to boundaries (subject to building regulations)

LEGEND



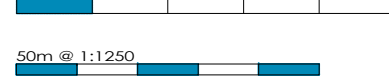
10m @ 1:100



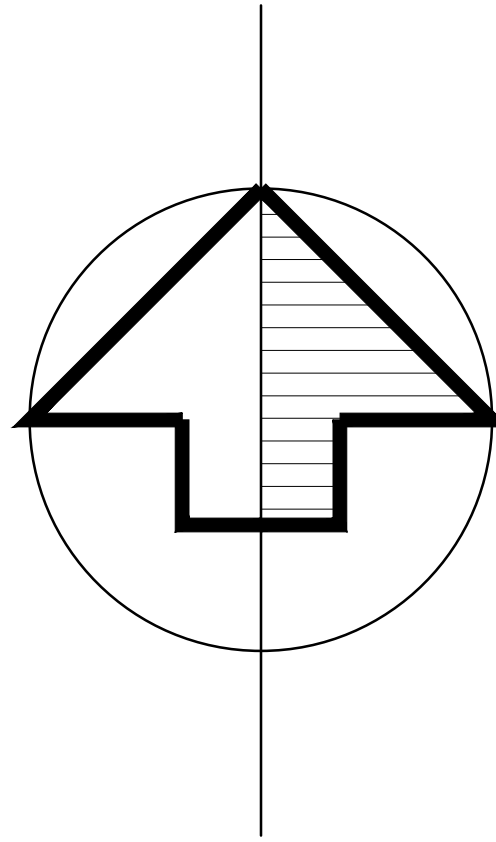
10m @ 1:200



25m @ 1:500



50m @ 1:1250



SITE AREA: 0.049 HECTARES / 0.12 ACRES
1 X 3 BED HOUSE
4 X PARKING SPACES (2 FOR PROPOSED & 2 FOR EXISTING)

No.	Revision.	date	by
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20 SPENCER ROAD
EASTLEIGH
HAMPSHIRE
SO50 9GR

SITE, BLOCK, LOCATION PLAN &
EXISTING GARAGE TO BE DEMOLISHED

scale	AS SHOWN @ A1	checked
date	JUNE 2020	drawn GR/WD

9250/200

ARC Architecture Ltd.

Chapel Studios, 14 Purewell,
Christchurch, Dorset, BH23 1EP

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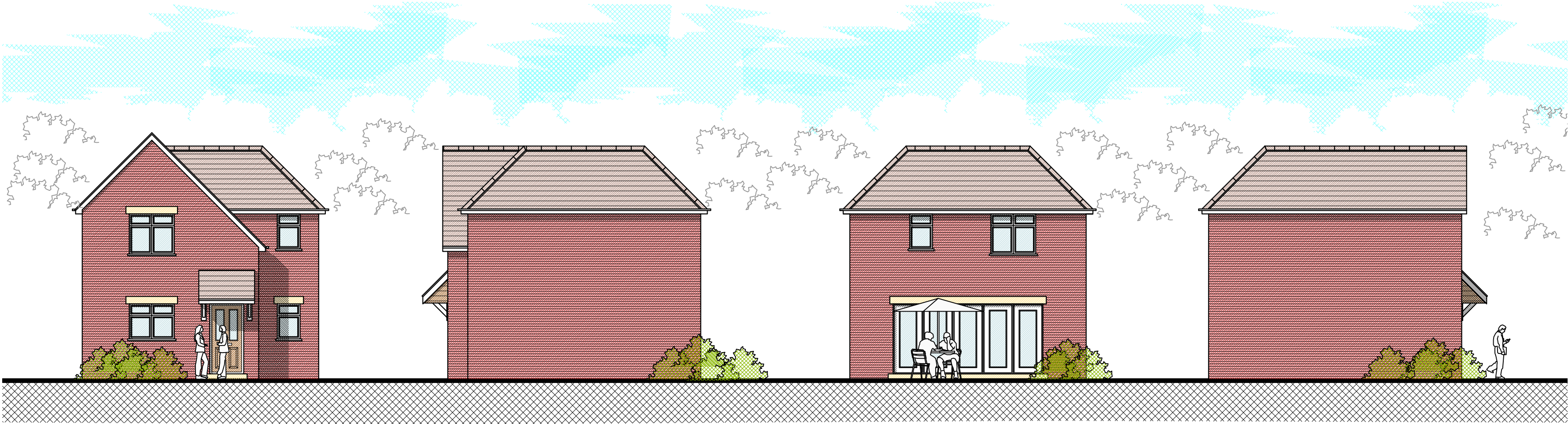


NOTES

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4 All flat roofs to be fitted with a man safe system.
5 Please note a domestic sprinkler system maybe required
6 Fixed shut fire safety glass windows may be required where windows are in close proximity to boundaries (subject to building regulations)

MATERIALS SCHEDULE

WALLS: RED BRICK
WINDOWS: UPVC
ROOF: CONCRETE ROOF TILES

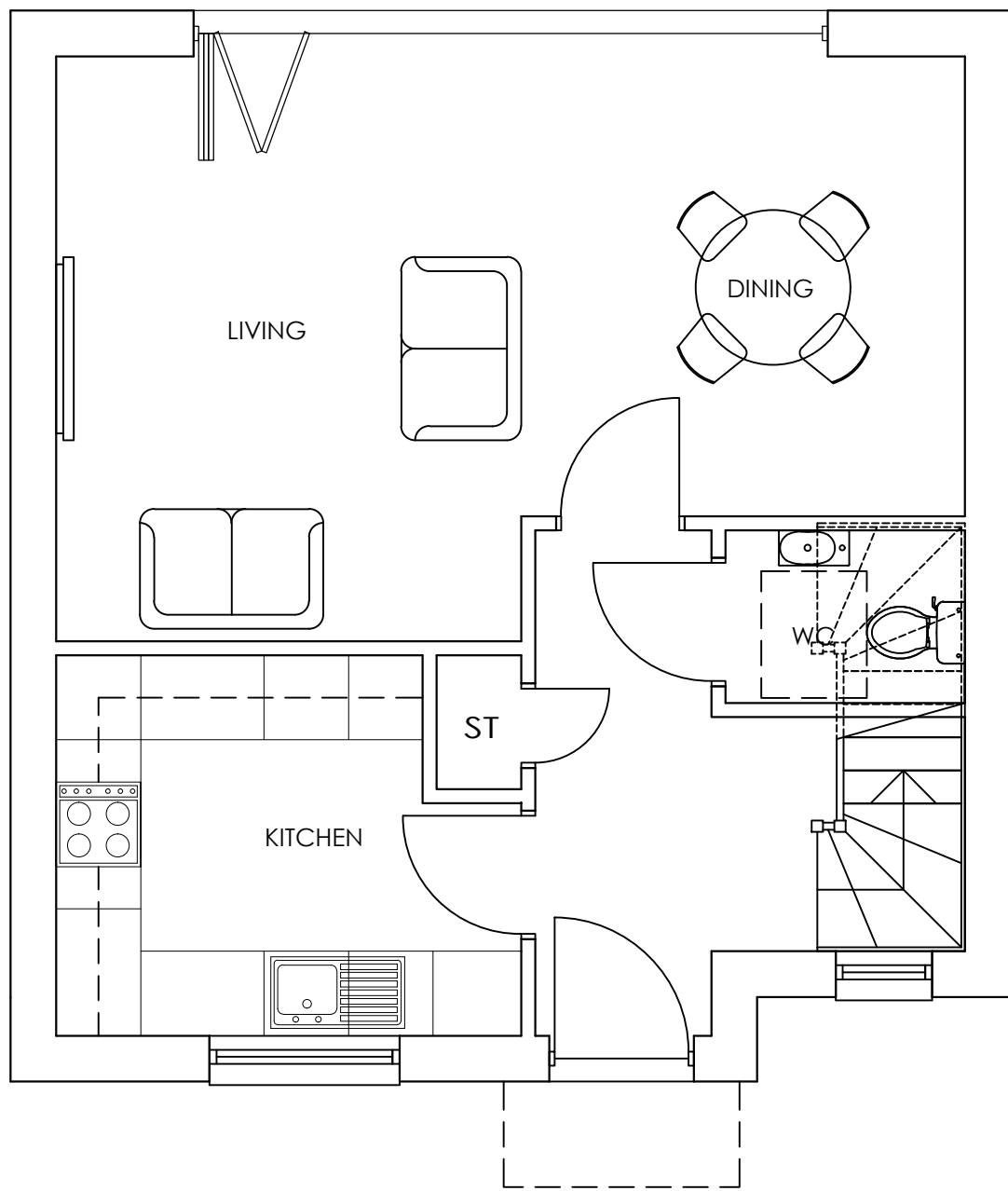


PROPOSED EAST ELEVATION
SCALE 1:100

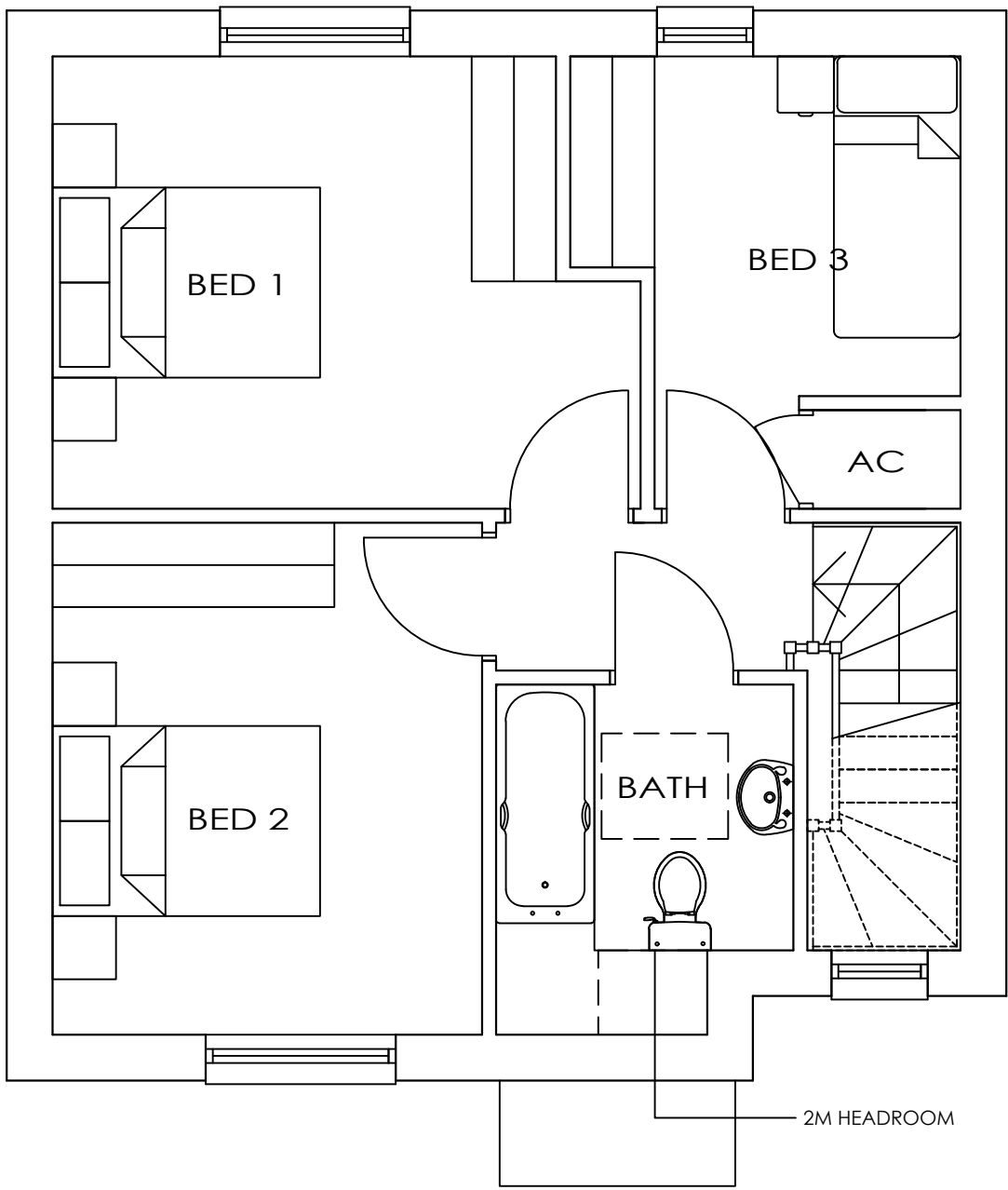
PROPOSED NORTH ELEVATION
SCALE 1:100

PROPOSED WEST ELEVATION
SCALE 1:100

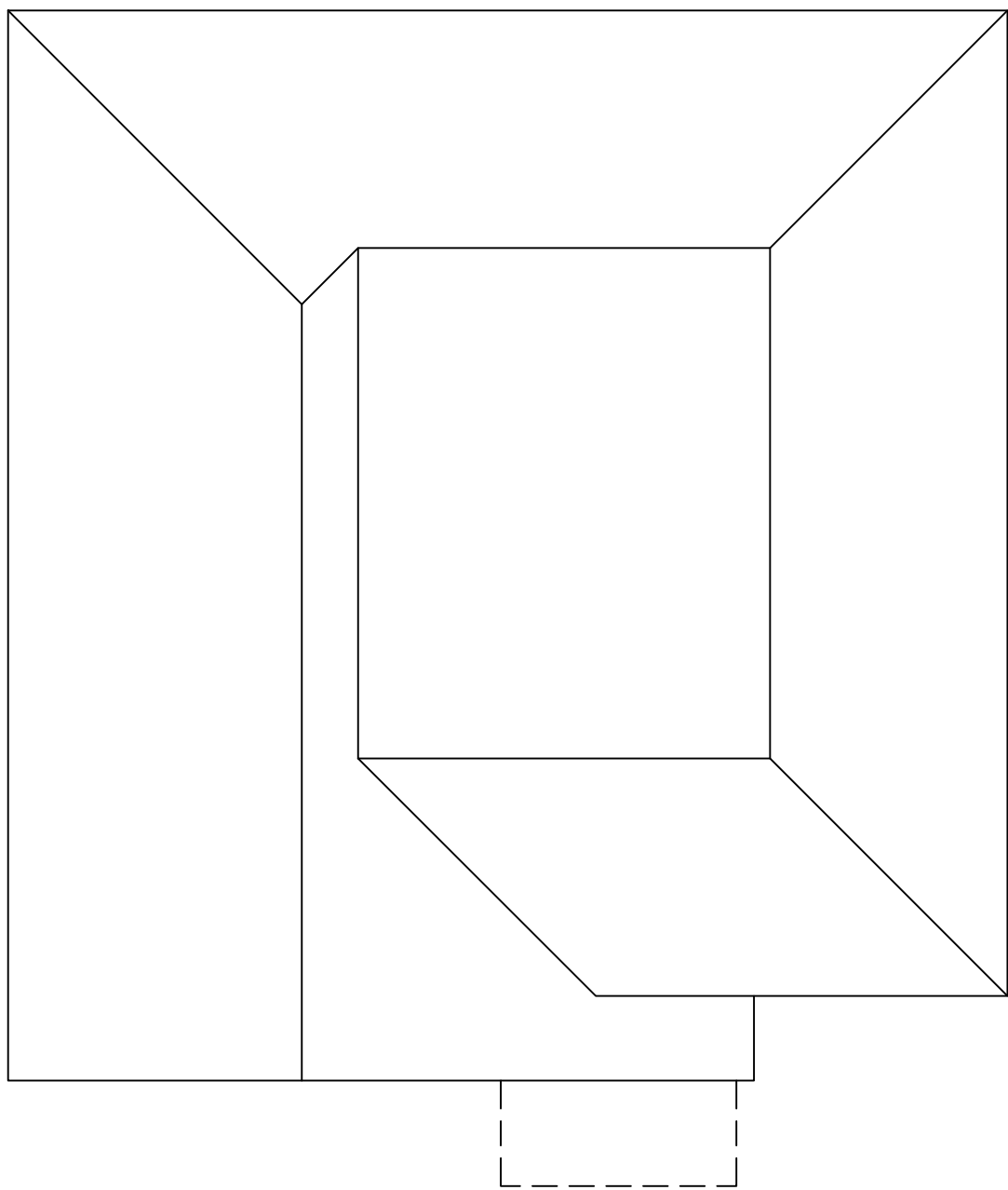
PROPOSED SOUTH ELEVATION
SCALE 1:100



PROPOSED GROUND FLOOR PLAN
SCALE 1:50



PROPOSED FIRST FLOOR PLAN
SCALE 1:50



PROPOSED ROOF PLAN
SCALE 1:50

1 X 3 BEDROOM HOUSE @ 87.4 SQ.M / 940 SQ.FT

No.	Revision.	date	by
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20 SPENCER ROAD
EASTLEIGH
HAMPSHIRE
SO50 9GR

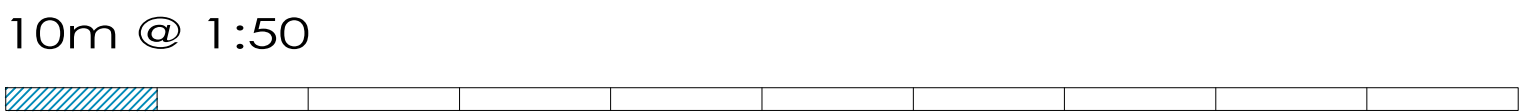
PLANS & ELEVATIONS

scale	AS SHOWN @ A1	checked
date	JUNE 2020	drawn GR/WD
9250/201		

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Web: www.andersrobertscheer.co.uk



Appendix D

DELEGATED OFFICER REPORT

Application Ref: F/23/95271

Site Address: 17 O'CONNELL ROAD, EASTLEIGH, SO50 9GN

Case Officer: Alex Webb

Description: Erection of new 3.no bedroom detached dwelling on site of existing workshop/store

Particular Site Constraints?	Yes ☒	No ☐
Nature Conservation NE - SSSI Impact Risk Zones, HRA Screening Criteria (River SAC, SPA & Ramsar) New Forest SAC 13.8km BUFFER Aviation safeguarding Airport Safeguarding Zones Sewers SW Sewers 2m Buffer		

Planning History?	Yes ☐	No ☒

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	1 x comment - Not against infill building, - reference to being sustainable yet does not appear to be utilising Sustainable Urban Drainage Systems (SuDS) or permeable paving - surface water drainage, treatment and attenuation should be considered. - Surface Water Flooding and Exceedance Flows -achieving this, particularly to the front of the dwelling will be challenging query whether soakaways as a single point management feature are appropriate - Impact upon existing foul sewer -location of the proposed development clashes with an existing transferred sewer - Southern Water should be consulted. - In support of well-considered infill development- further aspects need to be investigated and / or considered, particularly concerning drainage and flood risk.		
Parish Council:	No Response		
Highways	Having reviewed the information contained within the application pack, there would be no objection to the proposals from a highways perspective, subject to the conditions outlined below being applied. The proposals are to construct an additional 3-bed dwelling in the rear garden of the existing No. 17 O'Connell Road, and it is noted that plans introduce parking for both the existing and proposed dwelling in the form of two side-by-side spaces for each appropriately. This is acceptable, given the appropriate dimensions of the parking, anticipated localised speeds, and given that the nearest point of the drop kerb to the junction with Spencer Road is in excess of 10.0m. There will however be a requirement to reduce the frontal hedges to a maximum of 1.0m so that appropriate visibility from the parking to the highway can be achieved. Vehicle crossover drop kerbs will be required for both (a widening for one, new for the other), and the applicant should be made aware that a subsequent permission will be required from HCC as local highway authority in order to undertake the works, details of which can be found via the following web address: https://www.hants.gov.uk/transport/parking/droppedkerbs		

	Additionally, it is noted that a street lamp column is located within the area of the to be widened existing single drop kerb proposed to serve the new dwelling. This will require relocating at the developers expense as part of the overall drop kerb works. Conditions recommended
Pollution	The former/current use of the land has the potential to have caused contamination of the ground, however no information is included in the application showing how land contamination risks have been appropriately considered. Due to this and the sensitive end use proposed we recommend that the application be permitted only subject to condition requiring the investigation and assessment of land contamination, and a requirement that appropriate mitigation of any discovered risks be carried out to the satisfaction of the LPA, as necessary. We append conditions to this effect
Ecology	There are records of bats, hedgehogs, common toads, grass snakes, adders and slow worms near this site. The site is approximately 150 m east of Monk's Brook, which is a tributary of the River Itchen, although Passfield Avenue would be a barrier between the site and Monk's Brook. The site photos show that both the existing store building, the shrubs/hedgerow and area of vines have potential to support nesting birds, and possibly foraging bats. The area around the site boundaries have potential to support hedgehogs and possibly toads and slow worms. A preliminary ecological appraisal is required before determination. The report should also include a precautionary working method, and biodiversity enhancements appropriate for this site. A surface water drainage plan will also be required. An explanation of the proposed surface water drainage system is required. During construction any sediment or pollutants must be prevented from being washed off site to avoid any contamination of Monk's Brook. Any closed board fences must have hedgehog openings in the base boards (13 x 13 cm minimum) to allow free passage of small animals through the garden. Biodiversity enhancements will be required and conditions/informatives recommended
Streetscene	No Objection
Trees	No Objection

Site Visit:	Yes ☒	No ☐
06/07/2023		

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 development), S3 (location of new housing), DM1 (general development), DM2 (environmentally sustainable development), DM3 (climate change), DM4 (zero or low carbon energy), DM6 (surface water management), DM8 (pollution), DM11 (nature conservation), DM13 (access), DM14 (parking), DM23 (residential development within urban areas), DM24 (Creating a mix of housing), DM30 (internal space standards), and DM38 (funding infrastructure). . Supplementary Planning Documents:
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Assessment:

The application relates to part of the garden to the side of 17 O'Connell Road. The property is a semi-detached property, located on a corner plot on the south side of O'Connell Road, and to the west of Spencer Road, with Passfield Avenue due west. The surrounding area is predominantly residential, with areas of public open space in the immediate vicinity (Fleming Park due west). The residential properties along O'Connell Road are two-storey, semi-detached dwellings of a similar design and appearance giving a strong sense of uniformity within the surroundings. Properties tend to benefit from front and rear amenity provision and No. 17 O'Connell Road follows this pattern.

The proposal is for the erection of a new 3-bed detached, two-story dwelling on the area of existing garden to the west of 17 O'Connell Road with vehicular access (via a new dropped kerb) from O'Connell Road. There is an existing single storey ancillary workshop (with a footprint measuring 40sq m) which would be demolished to make way for the new dwelling. The new dwelling would be set approx. 4m further forward (to the north) than the existing workshop. The new dwelling would have a driveway and 2 on-site parking spaces, a bike rack and area for bin storage to the front (north). The main amenity provision would be rear (south).

Internally the proposed detached dwelling would have a GIA of 84 sq m with an open plan living room/kitchen/dining area, hallway and WC on the ground floor and the 3 bedrooms including one double with an en-suite and a family bathroom on the first floor. There would be casement windows and a front door on the front (north) elevation and casement windows and a set of French doors on the rear (east) elevation. There would be a single obscure glazed window at first floor level on the side (west) elevation and two longer obscure glazed windows at both ground and first floor on the other side (east) elevation. The roof would be of a gabled design with a protruding gable projection on the front (north) elevation. It would be finished in brickwork.

Principle

The application site lies within the urban edge; therefore, the basic principle of residential development is considered acceptable subject to compliance with the relevant planning policies. There is some evidence of small-scale infilling to the side of plots in the locality, namely 1a and 2a Spencer Road. These dwellings, due to the width/size of the plots and resultant orientation of the buildings, such infill development was considered acceptable and in keeping with the pattern of development in the immediate vicinity.

Layout, Character and Appearance

The proposal is for the addition of 1no. 3-bedroom dwellinghouse, resulting in the subdivision of the plot for 17 O'Connell Road. The proposed dwellinghouse would be set slightly in-front (0.25m) of the established building line. This distance is not considered to have an adverse impact upon the established main road.

The proposed dwelling would be a two-storey detached property with gabled rooflines. Whilst 17 O'Connell Road is characterised by hipped rooflines, gabled rooflines and projections are found in the streetscene. The proposed casement windows and provision of a canopy porch would also be characteristic to those in the locality.

There is evidence of infilling along O'Connell Road but this is typically single storey development of an ancillary nature. The insertion of a single detached dwelling of this form along O'Connell Road would be out of keeping with the prevailing character and streetscene where there is a sense of openness and separation between the semi-detached properties which dominate the road.

To fit the proposed dwelling into the awkward proposed plot shape, it has a small footprint for a 3-bedroom dwelling, out of keeping with the larger footprints and proportions of the surrounding properties. Due to the site constraints, the form and size of the proposed dwelling is not considered to fit in with the prevailing pattern of development along O'Connell Road. The proposal therefore fails to take proper account of the context of the site contrary to local plan policy DM1.

The submitted planning statement sets out how the proposed dwelling would meet higher national access standards as set out in Part M of the building regulations for new build residential development in accordance with local plan policy DM29. The internal floor area and storage provision within the proposed dwelling would accord with the nationally described spaces standards as required by local plan policy DM30.

Residential Amenity

The proposed dwelling would be situated on part of the existing garden area for 17 O'Connell Road. The proposed dwelling would have total private amenity provision of approx. 80 sq m, and approx. 175 sq m for 17 O'Connell Road. The resultant proposed and the retained amenity provision for both properties would therefore meet the required threshold (least 60% of the floor space of the host dwellinghouse) as set out in the Council's Quality Places SPD.

The proposal would also result in two storey development 3m from the ground floor window serving the living room and the same distance from the first-floor window serving the bedroom to the rear of 17 O'Connell Road. This would result in a poor spatial relationship and potential overshadowing reducing the natural light entering those habitable rooms. The applicant states that those habitable rooms affected currently benefit from having dual aspect, however it would still result in an overbearing impact and change the outlook from to the rear (south west) which is considered unacceptable. Whilst it can also be argued that there is an existing workshop in a similar location to the proposed dwelling, this is a single storey, flat-roofed structure and so would not have as great an impact as a two-storey property in terms of loss of light and encroachment. Due to the resultant cramped arrangement the proposal is considered to have a detrimentally harmful impact upon this neighbouring amenity 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, 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 conditions including the reduction in hedges being reduced in size, the provision of a dropped kerb to the highway.

Ecology

The Council's ecologist has raised an explanation of the proposed surface water drainage system. The proposal could provide biodiversity enhancements as part of the redevelopment of the site. If the application were recommended for planning permission, conditions would be imposed to secure these requirements and necessary protection measures in accordance with local plan policies DM1 and DM11 in this respect.

Trees

The councils tree officer raised no objection. The proposal would therefore meet the requirements of policy DM1 and the Trees and Development SPD (2021) in respect of trees.

Planning Obligations – Impact upon SPA

The addition of residential development is considered to have an impact upon the recreational disturbance and water quality of the European Protected Sites, which would need to be offset, in accordance with the Habitats Regulations.

Recreational Disturbance SPA - Solent & Southampton Water

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.

Nitrates – Water Deterioration

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 was included within the submission to show the nitrates balance and no nitrates 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.

Recreational Disturbance – New Forest SPA

Natural England have raised the issue of new residential development resulting in more visitors to the New Forest National Park and subsequent increased recreational disturbance. The site falls within the 13.8km radius of the New Forest where new residential schemes need to contribute toward mitigation projects.

Other issues:

Refuse

A bin storage area is shown on the plans and there would be sufficient space to provide on-site waste management and meet the requirements of policy DM1.

Sustainability

The applicant has provided information in the submitted Planning Statement as to how the development would meet the Council's sustainability objectives as set out under local plan policies DM2 and DM3. Had the application been recommended for permission then sustainability conditions would have been imposed to secure such measures.

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 17 O'Connell Road and harmful 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 form and size of the proposed dwelling would not be in-keeping with the streetscene and prevailing character of O'Connell Road. 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 additional nutrient loading and recreational disturbance generated by the population increase resulting from the development. The application is therefore contrary to the requirements of Policies S1, DM10 and 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 ...