

DELEGATED OFFICER REPORT

Application Ref: F/24/97874

Site Address: 56 NICHOL ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 5AW

Case Officer: Dorothy Hei-Tung-Hoh

Description: Construction of a replacement two-storey, five-bedroom dwelling, including a lower ground floor, following the demolition of the existing bungalow (AMENDED DESCRIPTION)

Particular Site Constraints?	Yes ☒	No ☐
• Within the Urban Edge • Within Established Residential Area • Within Built-up Area Boundary • Tree Preservation Orders		

Planning History?	Yes ☒	No ☐
• Z/14016/002/00 - Erection of conservatory - 12/02/1976 • F/21/92172 - Construction of replacement detached 5-bedroom two-storey dwelling following demolition of existing bungalow - Permit - 26/09/2022		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	One representation was received from the neighbouring property, outlining concerns regarding the proposed development. Key points included: • Inconsistencies in Arboricultural Report • Impact of basement excavation • Tree Protection Orders (TPOs) Following the submission of the amended scheme now being considered, the neighbour provided further comments, highlighting: • Proximity of southern boundary • Chimney design • Root Protection		
Parish Council:	None received.		
Tree Consultant:	<u>29/08/2024</u> The supplied arboricultural information is for a previous application. While most of it is applicable, the proposal now shows car parking in the proposed Construction Exclusion Zone to the front. Whilst this is minor, it needs to be rectified. If you are minded to approve the application, please condition the following: <i>No excavation, demolition or development related works shall take place on site until an updated arboricultural statement and tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), are submitted and approved by the LPA. The approved documents must be adhered to in full, and may only be modified subject to written</i>		

	<i>agreement from the LPA. Reason: to retain and protect the existing trees which form an important part of the amenity of the locality.</i> <u>07/11/2024</u> As per my original response, it is the car parking/CEZ conflict that is the only issue. If you are happy with the written submission that the car parking is no longer where it was shown on the site plan, then I am happy with the arboricultural information. If you wish to grant permission, then please condition the following: <i>The development must accord with the arboricultural report reference Q5405. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the tree protection plan contained within the report. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area. Tree protection measures shall be retained in their approved form for the duration of the work and may only be modified subject to written agreement from the LPA. Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.</i>
Ecologist:	<u>08/08/2024 (Summarised)</u> The Ecological Impact Assessment by Ecosa (August 2022, commissioned for a previous application F/21/92171) states: Given the mobility of animals and the potential for colonisation of the site over time, updating survey work may be required, particularly if development does not commence within 18 months of the date of the most recent relevant survey (Executive summary, final bullet point page 2 and again at 6.2). The building was assessed to have moderate bat roost suitability at that time, and two bat emergence surveys were done, according to best practice guidelines. As it is now more than 18 months after the last bat activity survey (23 June 2022) and bats are highly mobile species, the bat activity survey data is no longer valid. An update walkover survey is required to determine whether conditions have changed since the previous survey 25 months ago. Additional potential bat roost features may have developed or bats may have started using features that were not used previously. Two additional bat emergence surveys may also be required. As the bat survey season effectively ends at the end of September, I would advise the applicant not to delay with this requirement. The presence or absence of protected species (bats) is a material consideration and must be assessed before determination of the application. <u>17/10/2024</u> I have reviewed the Bat Survey Report by Hampshire Ecological Services (October 2024). The building was assessed to have moderate bat roost suitability and three dusk emergence surveys were carried out. A common pipistrelle bat emerged from under a roof slate on the second survey so a third survey was needed to inform a bat license application. The house is confirmed as an occasional non-breeding day roost for low numbers of common pipistrelles. The bat license can only be applied for after planning permission has been granted.

	If work has not started before the end of September 2025 an update walkover survey will be required prior to development. The recommendations in the report are appropriate and shall be implemented.
Environmental Health (Noise)	The site is surrounded by residential houses, served by a minor road. Therefore, I have no objections/comments regarding Environmental Noise Impact. I notice there is no Construction Management Plan in the application, therefore I would recommend an advisory be included in any approval to comply with the Council's Code of Practice for Contractors.
Environmental Health (Contaminated land, air quality and other pollution issues)	Contaminated land The site is not located within an identified contaminative land use. The UK radon map indicates the site is located within 3-5% radon potential. Given that the proposed development includes the construction of a lower ground floor, involving excavation works, it is recommended to maintain a watching brief during construction to monitor for any unexpected contamination, even though no contamination has been identified thus far. Air quality The proposed development is not located within an Air Quality Management Area and comprises only demolition and construction of a single new dwelling. As such, the likelihood of generating significant risks to air quality during the demolition, construction, and operational stages is considered low. However, it is essential that best practices and measures are adopted to safeguard air quality in the area. The planning process should ensure that the development aligns with air quality objectives, promoting a healthy and sustainable environment. Other pollution issues Demolition and construction activities has the potential to increase levels on noise, vibration, dust, mud/ dirt transfer to roads, waste and temporary lighting pollution, which can cause temporary adverse impact to the locality. The implementation of best practicable means of control, as outlined in a Construction and Environmental Management Plan (CEMP), will be crucial to minimizing pollution risks and protecting the health and wellbeing of both the environment and the local community. In conclusion, while I have no objection to the overall principle of the development, I recommend to include several conditions, including a Construction Environmental Management Plan (CEMP), and a water brief.

Site Visit:	Yes ☒	No ☐
Details: 16 th August 2024.		

Policy:
National Planning Policy Framework Planning Practice Guidance

Development Plan:

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM2, DM11 and DM14.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisals (Chandler's Ford and Hiltingbury – Hiltingbury Road West)

Assessment:**Site context and surroundings**

56 Nichol Road is a single-storey bungalow situated on the east side of Nichol Road and is the first dwelling on the left when entering Nichol Road from Hocombe Road. The property is set back from the road, separated by a front garden, with a side driveway leading to a primarily lawned rear garden. The surrounding area is residential, characterised by relatively large plot sizes. Most dwellings are detached and surrounded by attractive gardens, many of which feature mature trees protected by Tree Preservation Orders (TPOs). The spacing between opposite houses contributes to a spacious and open character in the area.

Background

The planning history reveals that the application site received approval in 2021 for a five-bedroom replacement dwelling with a similar footprint but a different design, which expired last month.

Proposal

The application seeks planning permission for a replacement detached five-bedroom, two-storey dwelling, following the demolition of the existing bungalow. The proposed dwelling includes a lower ground floor and will feature a contemporary design with a gabled frontage, substantial glazing at the front elevation, timber cladding, and dark/grey window frames.

Initially, the proposed dwelling was larger in size and scale, raising concerns due to its prominent position as the first dwelling on the left when entering from Hocombe Road. In response, the applicant was asked to reduce its size and scale. Consequently, the design was modified by changing the full gable roof at the rear elevation to a hipped roof and setting the first floor back by 1.2m, resulting in a less bulky appearance when viewed from the side elevation.

Principle

- The application site lies within an established residential area where the basic principle of development is acceptable, with any formal approval being based upon the exact nature, design, and impact of that proposed being considered acceptable and in accordance with the relevant policies within the adopted local plan and supplementary planning guidance.
- The site is also part of the character area of Chandler's Ford and Hiltingbury (Hiltingbury Road West) which provides the following guidance on developments and that they should ensure that:
 - i) sufficient garden depth and area is retained by existing or replacement dwellings, commensurate with their size and character, which can accommodate appropriate tree planting in keeping with the character of existing plots.
 - ii) no healthy mature trees would be felled or likely to be damaged.

- iii) the design of any new building work, including extensions, is compatible with the character of adjacent good quality properties and fits well into the overall street-scene.
- iv) the existing building line along street frontages is respected.

Layout, design, and impact upon the character of the area

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, 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 in terms of mass, scale, layout density, design, and siting.
- While the replacement dwelling will largely lose the original character of the existing bungalow, this change aligns with the surrounding development patterns. This transition from a modest single storey dwelling to a larger two-storey dwelling itself is not necessarily an issue, given that many neighbouring properties along Nichol Road are two-storey dwellings that have been extended or enlarged over time, resulting in a varied street scene with no single established character. As such, the replacement dwelling is unlikely to stand out or detract from the area's overall character. Although the adjacent neighbour raised concerns about the proposed chimney design, this feature is considered to have minimal visual impact and will not significantly alter the character of the area.
- The proposed dwelling will be positioned similarly to the existing bungalow, maintaining adequate separation from neighbouring properties, particularly those directly opposite. This placement preserves the rhythm of development along the street, with ample spacing between houses that supports the open and spacious character defining the area.
- Initially, concerns were raised regarding the prominence of the three large gabled features on the front elevation. However, upon review, it was noted that gabled designs are a common element among neighbouring properties, reducing any potential visual intrusion. The proposed gable design is therefore considered compatible with the existing street scene and does not overwhelm the surrounding properties to a degree that would warrant refusal of the application.
- The two-storey scale and overall massing of the proposed dwelling are consistent with other properties on Nichol Road, ensuring that the development integrates with the scale of surrounding buildings. The proposed dwelling is not expected to appear overly dominant or intrusive within its setting.

Impact on residential amenity

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
- 54 Nichol Road is expected to experience the most impact from the proposed development. The concerns raised by this neighbour have been carefully noted. However, given that the application site is situated to the north of 54 Nichol Road, any potential loss of light or overshadowing is expected to be minimal. This orientation ensures that shadows cast by the proposed dwelling primarily fall within the site itself or do not significantly affect the neighbouring property.
- The lower ground level addition, due to its sunken position and design, will avoid impacts on neighbouring properties in terms of loss of light, outlook, or privacy. As a result, it will remain largely unobtrusive to the adjacent property and surrounding area. Regarding excavation-related concerns, the council's Environmental Health

department and the Tree Consultant have reviewed the proposal, and specific conditions will be imposed to manage construction activities. These conditions will include protective measures to safeguard trees and prevent unauthorised encroachment onto neighbouring properties, as well as addressing noise, dust, and other construction-related impacts to minimise disruption.

- All side windows on the first-floor level are designated for en-suite bathrooms, preventing overlooking and preserving privacy for both the proposed dwelling and neighbouring properties. Additionally, substantial glazing is limited to the front elevation, directing views primarily onto Nichol Road. The separation distance between the application site and properties opposite further mitigates any potential overlooking, ensuring privacy for all nearby residents.
- While the replacement dwelling is larger than the existing bungalow, modifications have been made to reduce its bulk, including changing the full gable to a hipped roof and setting back the first floor. These design adjustments reduce the building's visual prominence, ensuring it does not appear overbearing when viewed from neighbouring properties.

Ecology

- Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) stipulates that the Borough Council will work with statutory and voluntary agencies and developers to; protect, conserve and enhance areas subject to international, national and local nature conservation designations, and promote the net gain of biodiversity on all sites through the protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.
- The application site is located within a green impact risk zone for great crested newts and has nearby records of various protected and notable species, including bats, slow worms, common toads, stag beetles, hedgehogs, and water shrews. Additionally, there are nesting swifts in the wider area. Given these ecological sensitivities, the council's Ecologist was consulted as part of this application.
- Following a review of the Bat Survey Report by Hampshire Ecological Services (October 2024), the building was assessed to have moderate suitability for bat roosting. Three dusk emergence surveys were conducted, and a common pipistrelle bat was observed emerging from under a roof slate during the second survey, necessitating a third survey to inform a bat licence application. The dwelling is confirmed as an occasional, non-breeding day roost for a low number of common pipistrelles. A bat licence can be applied for only after planning permission is granted, and if work has not commenced by the end of September 2025, an updated walkover survey will be required prior to development. The ecologist has confirmed that the recommendations in the report are appropriate and should be implemented.
- Furthermore, a precautionary working method must be followed to protect slow worms, common toads, stag beetles, hedgehogs, and water shrews during construction. This method will ensure that these species are safeguarded throughout the development process.

Trees and landscaping

- The application site is covered by a Tree Preservation Order (TPO), requiring careful consideration of the existing trees. Initially, the council's Tree Consultant raised concerns as the arboricultural information provided was based on a previous application and revisions were required due to a conflict between the

proposed car parking area and the Construction Exclusion Zone (CEZ) at the front of the property.

- Following these discussions, the applicant submitted a revised plan, relocating the car parking area to address the CEZ conflict. This adjustment resolved the issue, and the Tree Consultant confirmed that no further updates to the arboricultural report were necessary. The development is now subject to a condition requiring full compliance with the original arboricultural report (reference Q5405), ensuring that all protective measures are implemented to safeguard the site's trees throughout the construction process.

Highways and parking

- Policy DM14 of the Eastleigh Borough Local Plan (2016-2036) requires residential development to provide off-highway parking which is adequate in terms of highway safety/traffic management.
- Although the proposed dwelling will encroach upon the existing side driveway, it is considered that the front garden of the property can still accommodate up to three vehicles, meeting the maximum requirement as outlined in the Supplementary Planning Document (SPD). However, to protect the existing trees on-site, any car parking areas must adhere strictly to the conditions, ensuring compliance with the approved tree protection plan and minimising impacts on root zones.

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, 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.

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:

- Permit subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐