

14/09/2016

APPLICATIONS RECOMMENDED FOR DECISION

CHANDLER'S FORD & HILTINGBURY Wednesday 14 September 2016 Case Officer Rosie Rivers

SITE: 52 Nichol Road, Chandler's Ford, Eastleigh, SO53 5AW

Ref. F/16/78963 Received: 25/07/2016 (21/09/2016)

APPLICANT: Ms J Hurst

PROPOSAL: Two storey front, side and rear extension with new vehicular access from Nichol Road (amended design to F/16/78385)

AMENDMENTS:
RECOMMENDATION:

REFUSE PLANNING PERMISSION

CONDITIONS AND REASONS:

- (1) The proposed development due to its scale, form, design and proximity to the boundary of Randall Road would be overly prominent and a visually intrusive form of development detrimental to the street scene and character and appearance of the surrounding area. The proposal is therefore considered to be contrary to Saved Policy 59.BE of the Eastleigh Borough Local Plan 2001-2011, Policy DM1 of the submitted Eastleigh Borough Local Plan 2011-2029, the Chandler's Ford and Hiltingbury Character Area Appraisals SPD and paragraph 53 of the National Planning Policy Framework.

Note to Applicant: The application was refused following the assessment of the following plans: 02_ Rev J, 04_ Rev J, 09_ Rev J.

In accordance with paragraphs 186 and 187 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.

Report:

This application has been referred to Committee on the basis of the previous planning history and at the request of the Local Members.

Description of Application

1. The application proposes two storey front, side and rear extensions, allowing for a complete internal rearrangement and provision of four bedrooms at first floor, one with an en-suite and a master bedroom with an en-suite and dressing room. At ground floor the scheme provides for a vaulted entrance hall, lounge, open plan kitchen/dining/family room and separate utility and w.c.
2. The two storey front gable extensions form a three gable front, the side gable facing Randall Road would be set back from the front of the dwelling by 4.2m. A two storey side and rear extension with a gabled roof. The gabled roof and one dormer window are proposed in the side elevation facing Randall Road. To the rear, the two storey extension on the northern side extends a further 1.2m from the existing single storey extension, with a twin gable design. Towards the southern side of the property, the projection varies from 1.3m to 3m deep.

Site Characteristics

3. The existing dwelling is a modest, detached bungalow with front and rear flat roof dormer windows and a single storey flat roof extension to the rear. It sits within a corner plot, approximately 1101m.sq, with the dwelling orientated towards Nichol Road. Side access is currently provided from Randall Road, with a detached single garage close to the access and the rear garden towards 2 Randall Road.
4. The frontage of the property is partly open to Nichol Road, with vegetation planted partly along the front of the site. The side boundary to Randall Road comprises a 1.8m close boarded fence and vegetation planted in front of the fencing. There is an open side access to the rear garden and hedging along the remainder of the boundary. Close boarded fencing is positioned along the boundary between no.52 and 54.
5. There are protected trees in the front and rear garden. The site is covered by blanket and individual TPOs.
6. The residential area in general has an attractive, well treed character, with buildings generally set back to provide front gardens and parking

areas. The buildings are typically substantial detached dwellings, one and two stories with varied design. Plot size and building line is generally consistent, with the two corner properties no. 50 and 52 being set slightly further back than the other dwellings in the street. These corner properties have some similar design features, but are orientated differently and occupy a different footprint.

7. There have been a number of recent developments in Nichol Road, where smaller properties have been substantially extended or replaced with larger, more contemporary homes.

Relevant Planning History

8. F/16/78385: Two storey front, side and rear extensions and new vehicular access from Nichol Road. Permit 13/07/2016
9. F/14/75116: Two storey front, side and rear extension with new vehicular access from Nichol Road. Refused 03/12/2014, Appeal dismissed 09/04/2015
10. T/14/74745: Reduce lowest limb by 2m to 1no. Sweet Chestnut, crown lift to 6.5m, remove epicormic growth to upper crowns, remove immature co-dominate stem at base of 2nd tree in group, crown clean to Group Sweet Chestnuts, crown lift to 6.5m, reshape and prune to 1no. False Acacia. Part consented part refused 05/09/2014
11. F/14/74412: Two storey front, side and rear extension with new vehicular access from Nichol Road. Refused 17/06/2014
12. T/14/74224: Crown lift to 6.5m 1no. Sweet Chestnut (T7) and 1no. Oak (T10), reduce laterals to 5no. Sweet chestnuts (G2) to give 1.5m clearance from the underlying garage and fell 1no. Acacia (1) and 1no. Sycamore (2). Part consented, part refused 16/05/2014
13. Z/06707/003/00: Ground floor rear extension. Granted 12/05/1978

Representations Received

- 14.7 letters of objection have been received on the following grounds:
 - New proposal ignores previous objections
 - Increases sideways towards Randall Road
 - Slate roof and UPVC cladding changes the visual impact of the property
 - Impact on amenities of no.54 through overlooking, overshadowing, reduced sunlight, privacy and loss of outlook
 - Impact on character and appearance of the area
 - Extended property is disproportionate to existing dwelling
 - Impact on trees
 - Highway safety
 - Property covenants

- Reverts back to previous refusal and dismissed appeal
- Out of proportion with the opposite house in Randall Road

Consultation Responses

15. Tree Services Manager: No objection, recommends conditions

Policy Context: Designation Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area
- Within Chandlers Ford and Hiltingbury Character Area (Hiltingbury Road West)

Development Plan Saved Policies and Emerging Local Plan Policies

- Eastleigh Borough Local Plan Review 2001-2011 saved Policies: 59.BE, 104.T
- Submitted Eastleigh Borough Local Plan 2011-2029, July 2014 Policies: DM1, DM24

16. The Submitted Local Plan comprises: the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and the Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014.

Supplementary Planning Documents

- Supplementary Planning Document: Quality Places (November 2011)
- Supplementary Planning Document: Residential Parking Standards (January 2009)
- Chandlers Ford and Hiltingbury Character Area Appraisal

National Planning Policy Framework

17. The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

18. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the

Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be “out-of-date”. The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

19. Paragraph 56 of the National Planning Policy Framework states that “The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”
20. Paragraph 64 states that “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

Policy Commentary

21. The above policies and guidance combine to form the criteria against which this application will be assessed.

Comment on Consultation Responses and Representations Received

22. A number of letters of representation have been received from the neighbouring properties. The concerns raised have been addressed in the report.

Assessment of Proposal: Development Plan and / or Legislative Background

23. 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."

24. In this case policy issues for consideration include:

Principle

25. The development site falls within the built urban edge, as part of an established residential area. The principle of development is considered to be acceptable subject to the proposed scheme being appropriate in nature, design and siting, in accordance with the relevant local planning policies and guidance.

26. In this case the relevant saved local plan policies are 59.BE and 104.T.
27. 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. It also requires a high standard of landscape design, a satisfactory means of access and layout for vehicles, cyclists and neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes. Policy 104.T requires adequate off-highway parking to be provided.
28. Also relevant to this application, is the Chandlers Ford and Hiltingbury Character Area SPD, of which this application falls within Hiltingbury Road West.
29. The guidance contained within this area states that proposals should ensure that:
- 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.
 - no healthy mature trees would be felled or likely to be damaged
 - 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
 - the existing building line along street frontages is respected

Planning history

30. The planning history is also of relevance. Application F/14/74412 for extensions to the dwelling was refused in June 2014 under delegated powers for the following reasons:
- “No arboricultural information has been submitted to allow an assessment of the impact of the proposed works on protected trees. The scheme therefore fails to take proper account of the context of the site, in accordance with saved policy 59.BE of the Eastleigh Borough Local Plan Review 2001-2011 and emerging policy DM1 of the Revised Pre-submission Eastleigh Borough Local Plan 2011-2029.”*
- “The proposed scheme, by reason of the design, height, depth and mass, would result in a detrimental impact on the residential amenity of the adjoining property, no.54 Nichol Road, contrary to saved policy 59.BE of the Eastleigh Borough Local Plan Review 2001-2011.”*
31. A further application was submitted under application F/14/75116 for extensions to the dwelling. This application sort to address the reasons for refusal and was accompanied by arboricultural information and a daylight and sunlight assessment. The application was refused in

December 2014 at the Local Area Committee and subsequently dismissed at appeal. The application was refused for the following reasons:

“The proposed extended dwelling would result in an overdevelopment of the application site by reason of its scale, height, depth and mass located on an open corner position, having a detrimental impact on the character and appearance of the locality. As such the proposal is contrary to Saved Policy 59.BE of the Eastleigh Borough Local Plan Review [2001-2011], emerging policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029, July 2014, the Submitted Local Plan and the Chandler's Ford and Hiltingbury Character Area, Adopted January 2005.”

“The proposed development, by reason of the design, scale, height, depth and mass would result in a detrimental impact on the amenity of the adjoining property, no. 54 Nichol Road, contrary to Saved Policy 59.BE of the Eastleigh Borough Local Plan Review [2001-2011]; emerging policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029, July 2014, the Submitted Local Plan and Quality Places Supplementary Planning Document, Adopted November 2011.”

32. An application for extensions was submitted under application F/16/78385 for extension to the dwelling. The application was approved at the Local Area Committee and the permission is currently extant. The approved application, previously refused application and appeal decision are material consideration in the assessment of the current application.
33. The following amendments have been made to the current application in comparison to the approved application F/16/78385:
- the existing dwelling has a gabled roof, the previously approved application proposed hipping the roof of the dwelling. The current application now proposes to maintain the gable on the north elevation and a gabled roof is proposed on the extended south elevation.
 - the south elevation, with the proposed gabled roof would extend further towards Randall Road than previously approved.
 - the width of the resultant dwelling has been increased by 1.7m. The proposal now maintains a separation distance to the side boundary facing Randall Road of 3.3m at a minimum increasing to 5.2m at a maximum

Character and appearance

34. The previously approved application F/16/78385 was approved at the Local Area Committee. It was considered that the approved application, on balance, had overcome the previous reasons for refusal and the dismissed appeal, due to the separation to the boundary between the resultant dwelling and Randall Road, the extensions had

maintained space at the corner of the site and the roof had been altered so that the gable roof had been removed on the side elevations and the roof fully hipped away from Randall Road.

35. The current application proposes to maintain the existing gabled roof on the north elevation and proposes a gabled roof on the south elevation that would extend further towards Randall Road, than the existing dwelling. The proposal would extend 3m further towards Randall Road. The rear section of the extension would extend 1.4m further towards Randall Road than the existing dwelling.
36. Due to the alterations to the roof and the extensions proposed the resultant dwelling would only maintain a separation distance of 3.3m to the boundary with Randall Road increasing to 5.4m in comparison to the approved scheme that maintained a separation distance of 4.9m increasing to 5.4m. Part of the roof of the dwelling would also be gabled rather than hipped as previously approved.
37. The previous application F/14/74412 was refused at the Local Area Committee and dismissed at appeal as it only maintained a separation distance of 3.3m to the boundary with Randall Road and a gable roof was positioned on this south elevation. The Inspector considered in his report that

'the appeal proposal would result in the most forward section of the southern flank of the existing building increasing from its present 6m to 11m and encroaching 3m southwards to be within 3.5m of the boundary with Randall Road. Furthermore, with the proposed steep roof pitch, all of that elevation's 11m would be perceived as representing the maximum height of the building. When it is read with the projection of the side gable at the same height I consider that views in both directions along Randall Road the bulk and scale of the building would be visually obtrusive and a jarring feature.

This would be at odds with the openness on the opposite side of the road and the generous front building line of the houses further along Randall Road, even allowing for the fact that intervening trees tend to prevent the appeal property being read with those properties. Moreover, when this side and rear extension is taken together with the proposed 4.5m depth front extension, the overall openness of the corner would be compromised'.

38. It is acknowledged that the proposed extension would maintain separation to the boundary corner of the site where Randall Road meets Nichol Road. However, concerns are raised regarding the impact of the proposal on Randall Road. It is considered that the proposed changes to the roof of the dwelling and the projection of the gable further towards Randall Road reduces the spacing between the dwelling and Randall Road. As detailed above in the Inspectors comments this was a previous reason for dismissing the appeal and

the proposal is considered to be reverting back to the previously refused application F/14/75116 and the dismissed appeal.

39. It is considered that the proposed changes to the roof and the projection of the gable roof towards Randall Road would make this side elevation overly prominent in the street when viewed in both directions from Randall Road. It is therefore considered that the proposal would be visually obtrusive and a jarring feature in the street as previously considered by the appeal inspector and dismissed at appeal.
40. The proposed changes to the previously approved application are therefore considered to cause material harm to the street scene and character and appearance of the surrounding area. Due to the changes to the roof and the projection of the extension towards Randall Road, the proposal is not considered to maintain the openness of this part of Randall Road.
41. The proposal is therefore considered to conflict with Policy 59.BE of the Local Plan and the Character Appraisal SPD which requires that 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.
42. Concerns have been raised by the neighbouring properties regarding the details of the proposed materials. If permission were to be granted, conditions for the submission of materials prior to commencement of development could be recommended on any planning approval.

Residential amenity

43. The previously approved application F/16/78385 concluded that the proposed extensions would not cause material harm to the amenities of the neighbouring property in terms of over dominance or loss of light. Therefore the main changes to the proposal will be considered with regards to the impact on the neighbouring property.
44. The main change to the proposal in relation to the impact on the neighbouring properties amenity is to maintain the gabled roof of the existing dwelling on the north elevation. In considering the 25 degree test which relates to light to windows facing the proposed development, it is acknowledged that the gabled roof would fail the 25 degree test. However, this is an existing element on the dwelling and this relationship between the existing dwelling on the site and the neighbouring property currently exists and therefore it is considered unreasonable to refuse the application on this basis.
45. It is considered that the proposed changes to the proposal would not cause material harm to the amenities of the neighbouring property.

46. Concerns have been raised by the neighbouring property regarding overlooking, if permission were to be granted conditions could be attached to obscure glaze the windows to prevent overlooking to the neighbouring property.

Trees

47. There has been no material change in circumstances with regards to the protected trees at the front of the site. No objection was raised on the previous application with regards to the impact on the trees subject to conditions. The Council's Tree Services Manager has been consulted on the application and has confirmed that the conditions recommended on the previous application are applicable to this current application. If permission were to be granted conditions in relation to tree protected would be recommended.

Access

48. The proposed access arrangements have not been changed from the previously approved application. Therefore no objection on access and parking are raised on the current application. If permission were to be granted conditions in relation to the drive would be recommended.

Property Covenants

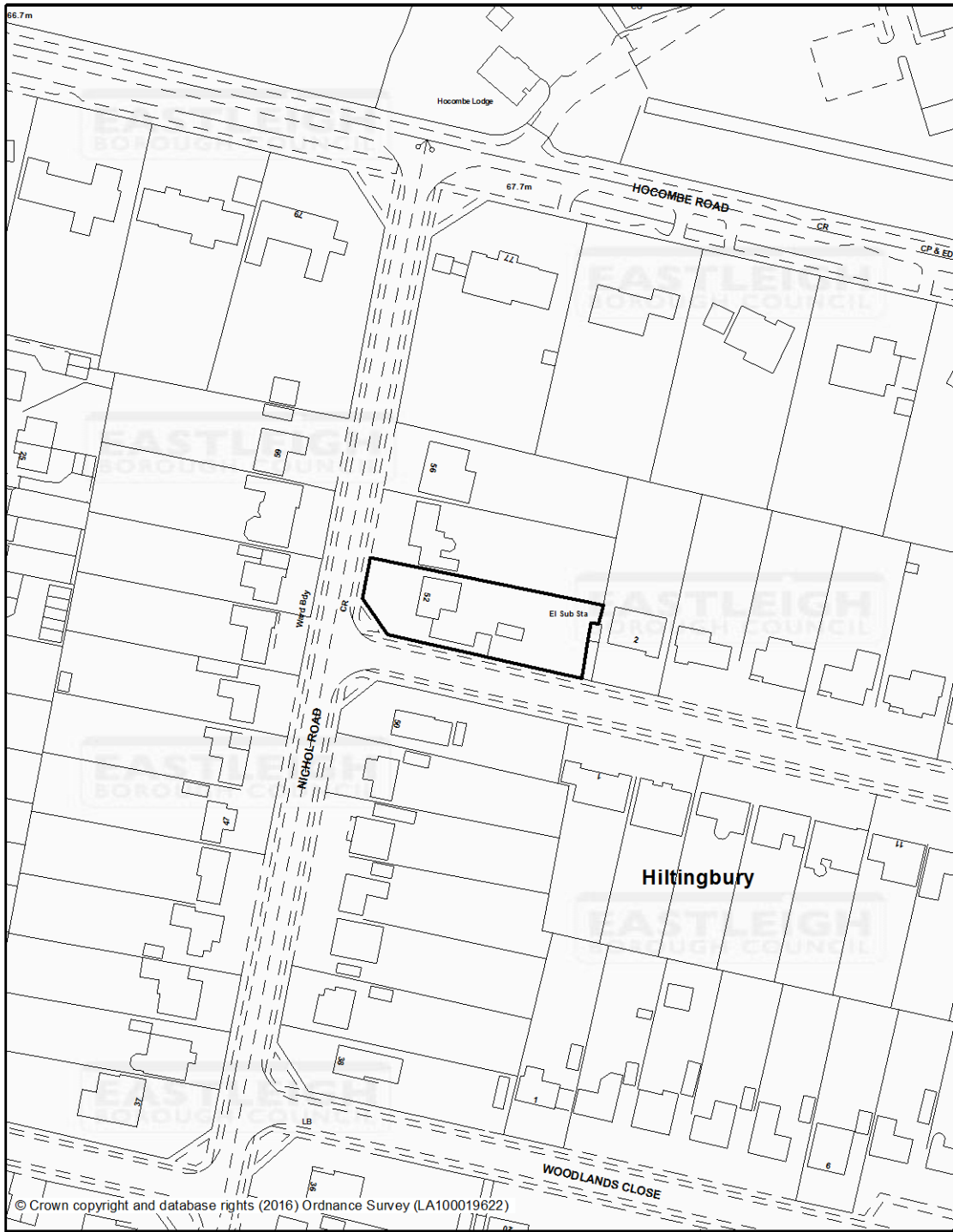
49. The residents at 54 Nichol Road have indicated that this scheme is contrary to restrictions and obligations (covenants) set out in the deeds to these properties. The presence of covenants is not a material planning consideration and cannot be taken into account when determining a planning application.

Other material considerations

50. Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

Conclusion

51. In light of the assessment above, the proposed development is considered to result in an overly prominent, visually intrusive and jarring feature in the street scene. The proposal would impact on the street scene and character and appearance of the surrounding area and therefore conflicts with Policy 59.BE of the Local Plan, Policy DM1 of the submitted Eastleigh Borough Local Plan 2011-2029 and the National Planning Policy Framework. The proposal is therefore recommended for refusal.



EASTLEIGH
BOROUGH COUNCIL

F/16/78963

Title:
52 Nichol Road

Scale:
1:1250
Map Ref:
SU4322NE
Date:
05/09/2016

