

**SITE: Land to rear of, 77 Hocombe Road, Chandler's Ford,
Eastleigh, SO53 5QA**

Ref. F/16/79575 Received: 15/11/2016 (24/01/2017)

APPLICANT: Mr and Mrs C Moston

PROPOSAL: **Erection of 1no. 2 bed bungalow with associated bin &
cycle storage with access off Nichol Road**

AMENDMENTS:

RECOMMENDATION:

REFUSE PLANNING PERMISSION

CONDITIONS AND REASONS:

- (1) The proposed development, by virtue of the resulting plot sizes, as well as the siting, spacing, form and design of the dwelling proposed, would not be respectful to the existing pattern of development within, nor the nature and appearance of the Hiltingbury and Hocombe Park Special Policy Area and Hiltingbury Road West Special Character Area, to the detriment of their character and visual amenity. As such the application is considered to be contrary to saved Policies 59.BE and 181.LB of the Eastleigh Borough Local Plan Review (2001-2011), Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029 and the Council's Supplementary Planning Documents 'Quality Places' and 'Chandler's Ford and Hiltingbury Character Area Appraisals'.
- (2) Insufficient information has been submitted to demonstrate that the proposed development, by virtue of its siting and proximity to protected trees would not result in unacceptable harm to those trees which are an important and prominent natural feature of the Hiltingbury and Hocombe Park Special Policy Area and Hiltingbury Road West Special Character Area, to the detriment of their character and visual amenity. As such the application is considered to be contrary to saved Policies 59.BE and 181.LB of the Eastleigh Borough Local Plan Review (2001-2011), Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029 and the Council's Supplementary Planning Documents 'Quality Places' and 'Chandler's Ford and Hiltingbury Character Area Appraisals'.

- (3) The proposed development, by virtue of the siting, spacing, form and design of the dwelling proposed, would not be respectful to the existing street scene or character of Nichol Road, nor the nature and appearance of the Hiltingbury and Hocombe Park Special Policy Area and Hiltingbury Road West Special Character Area, to the detriment of their character and visual amenity. As such the application is considered to be contrary to saved Policies 59.BE and 181.LB of the Eastleigh Borough Local Plan Review (2001-2011), Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029 and the Council's Supplementary Planning Documents 'Quality Places' and 'Chandler's Ford and Hiltingbury Character Area Appraisals'.

Note to Applicant: The application was refused following the assessment of the following plans: 1953/02_01, 1953/02_03 Rev C, 1953/02_04 Rev C & 3186-054-TPP Rev A.

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 by Councillors Atkinson, Hughes and Grajewski.

Description of Application

1. The application seeks consent for the subdivision of the No.77 Hocombe Road's existing plot to provide a new plot for the construction of a detached two bedroom bungalow with attached double garage accessed from Nichol Road.

Site Area & Residential Development Density

2. The application site equates to 730 square metres with the whole of the current No.77 having an area of just under 2200 square metres. This would equate to a density of just under 14 dwellings per hectare for the application site.
3. For comparison, the average plot size along this stretch of Hocombe Road is around 1900 square metres and at this northern end of Nichol Road they are around 1100 square metres, giving a density of 5 and 9 dwellings per hectare respectively.

Topography, Trees & Boundary Treatment

4. The application site itself is predominantly flat and level with only a very slight drop from north to south which follows the general topography of the area. In comparison to most Hocombe Road properties the plot is actually quite open, although there are a number of sizable protected trees within the plot, a line of three Oaks being of particular importance in this instance.
5. The Nichol Road boundary is marked by a 1.8 metre high brick and pier wall, which was approved in 2003. This is not a particularly characteristic feature of either Hocombe or Nichol Road where boundaries are either quite open or of dense tree/hedge planting. Despite the wall, this end of Nichol Road nonetheless has a relatively open feel predominantly due to the lack of any boundary trees to the plot. The remaining plot boundaries are marked by fencing and hedging.

Site Characteristics & Character of Locality

6. No.77 is a generous detached bungalow dating from the 1960s which has had a number of later extensions in the 1970s. It sits on a corner plot to the eastern side of the junction between Hocombe Road and Nichol Road on a relatively open plot considering the generally well treed character of the surrounding area. Access is from Hocombe Road, with a good size front garden and generous and open rear garden.
7. Hocombe Road forms the urban edge and Borough boundary, with land to the north being countryside within Winchester City Council's jurisdiction. The southern side of Hocombe Road is predominantly lined by large single and two storey detached dwellings on generous and generally well treed plots, most being set back from the road behind a line of mature trees. This gives the road an almost rural feel and very attractive character which has been recognised by its inclusion within the Hiltingbury and Hocombe Park Special Policy Area.
8. Nichol Road has a more suburban character but is nonetheless still a very attractive and pleasant street. It is again made up of sizable single and two storey detached dwellings on good size plots, although they are generally more closely spaced than those along Hocombe Road. Site frontages are generally open and green, and trees again play an important part in the street's character and appearance. While not within the Special Policy Area it is within the Hiltingbury Road West Special Character Area.

Relevant Planning History

9. As mentioned above, the bungalow dates from the 1960s with approvals granted for additions and extensions in the mid-1970s. Planning approval was granted for the existing boundary wall in 2003, since which time no further planning applications have been received relating to the site.

Representations Received

10. A total of eight representations have been received, all objecting to the proposal and raising the following issues and concerns:

- Subdivision is contrary to Special Policy Area
- Back land development
- Similar applications at No.79 Hocombe Road were refused
- Would not respect scale and character of neighbouring properties
- Does not respect Nichol Road building line or street scene
- Visually intrusive
- Would set a precedent for similar proposals
- Damage to and loss of protected trees
- Insufficient parking
- Roof will overhang boundary with No.56 Nichol Road
- Loss of light
- Impact on drainage
- Access to neighbouring land would be required for construction
- Proposal is only for making profit

Consultation Responses

11. **Tree Officer** – Comments awaited.

12. **Head of Transportation & Engineering** – No highway objection.

13. “The proposed access point is on a straight section of Nichol Road, and achieves excellent levels of visibility. Onwards, vehicle parking is provided for on a driveway which can accommodate at least 3 cars, with the double garage in addition to this. It will onwards also provide space for the required cycle parking.

14. One point of note, primarily more of a drainage issue, it is noted that the roofline appears to overhang the boundary of 56 Nichol Road. This may make it awkward for clearing of gutters, etc. and it should be checked that No. 56 is aware of the overhang issue.”

15. **Chandler’s Ford Parish Council** – No comments received.

Policy Context: Designation Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area
- Within Special Policy Area
- Adjacent to Special Character Area

Development Plan Saved Policies and Emerging Local Plan Policies

- Eastleigh Borough Local Plan Review 2001-2011 saved Policies: 25.NC, 59.BE, 104.T & 181.LB
 - Submitted Eastleigh Borough Local Plan 2011-2029, July 2014 Policies: DM1, DM9 & 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: Chandler's Ford and Hiltlingbury Character Areas (January 2005)
- Supplementary Planning Document: Residential Parking Standards (January 2009)

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. 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.
18. Paragraph 17 sets out twelve core principles that underpin the planning system, one of which is that planning should "always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings".
19. Paragraph 53 of the NPPF states that "Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area."
20. 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.”

21. It goes on to say in paragraph 64 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.”

National Planning Practice Guidance

22. Where material, this guidance should be afforded weight in the consideration of planning applications.

Policy Commentary

23. The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to planning policy and the principle of that proposed, is layout, design and impact upon the street scene and character of the area, trees and nature conservation, the residential amenity of neighbouring properties, and parking, access and highway issues.

Comment on Consultation Responses and Representations Received

24. Members will be updated on the evening of the committee regarding the Borough Tree Officer’s consultation response.
25. With regards to the various matters raised by objectors to the scheme, a response to the main planning related issues is given below. On the subject of precedent, while acknowledged as a concern, each application must be judged on its own merits and this cannot be used as a reason to refuse an application. As to this being a profit making venture, again this is not a material planning consideration and cannot be used as a reason to either approve or refuse an application.

Assessment of Proposal: Development Plan and / or Legislative Background

26. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

27. "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."

28. In this case policy issues for consideration include:

Policy and Principle

29. The application site lies within the urban edge where the basic principle of development is considered to be acceptable, with any formal planning approval being based upon the exact nature, design and impact of that proposed being considered appropriate and in accordance with the relevant local plan policies and supplementary guidance. The most relevant policy in this case is saved Policy 59.BE of the Local Plan which 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, have a satisfactory means of access and layout for vehicles, cyclists and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes. Also of relevance is Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029, July 2014, which essentially reiterates the above requirements.
30. Also of relevance is saved Policy 181.LB which relates specifically to the 'Hiltingbury and Hocombe Park' Special Policy Area (SPA). This policy states that the sub-division or redevelopment of plots will not be permitted unless all four of the following criteria are met:
- i. The size of any proposed plot is not significantly smaller than those in the immediate vicinity of the site;
 - ii. The proposals does not involve the loss, or prejudice the retention of existing healthy mature trees on the site;
 - iii. The design, siting, size, scale and type of the proposed development is compatible with the Arcadian character of the locality and does not involve back land or tandem development; and
 - iv. The proposal is accompanied by a detailed planting scheme designed to assimilate the development into its surroundings.
31. While the resulting plot and that remaining for No.77 would not be small by modern standards, they would be significantly smaller in size and scale to those which surround them, thereby not conforming to the requirements of the first criterion of the policy. Equally, when considering criterion three, despite having the ability to provide a separate access onto Nichol Road, that proposed would effectively amount to back land/tandem development, again contrary to the policy requirements. Therefore before even considering criterion ii. and iv. that proposed is considered contrary to policy.

Layout, Design, Street Scene & Area Character

32. Looking at the size and scale of that proposed, while it is noted that the dwelling is intended to be single storey and only two bedrooms, it does have a sizable and deep footprint, resulting in a large roof which would be clearly visible from Nichol Road. Its visual scale and impact would not be helped by the overly large roof to the attached double garage, which would only serve to emphasise the scale of that proposed, together with a footprint which is set

clearly forward of the well-established building line along Nichol Road. The lack of space to the southern boundary is also uncharacteristic of development in the area, where dwellings generally have good separation from the boundary. That proposed would be a clear intrusion into the attractive prevailing character of the area and as such is not considered to conform with the requirements of saved Policies 59.BE or 181.LB of the adopted Local Plan, Policy DM1 of the Submitted Local Plan and the Council's 'Quality Places' and Chandler's Ford and Hiltingbury Character Areas' Supplementary Planning Documents and will form a reason for refusal.

Trees & Nature Conservation

33. The large footprint of the dwelling proposed also raises concerns with regards to the resulting impact upon the adjacent Oak trees which would form the northern boundary to the plot. These trees are protected by preservation orders and are particularly prominent given the relatively open nature of the western site boundary. An arboricultural impact assessment has been submitted with the application which state that piled foundations could be used so as to limit any damage to tree roots. However, it gives no indication of exactly what form these would take or how covering up a significant proportion of the root protection area would affect the trees' ability to receive sufficient water.
34. While the formal consultation response from the Borough's Tree Officer is not available at the time of writing, it is suspected that an objection will be raised, as well as concern that if built there would likely be future pressure from occupiers to have unnecessary works undertaken to these trees or have them felled because of the increased maintenance requirements of being underneath their canopies, as well as concern over structural damage.
35. Without clear information to demonstrate that the proposed development would not result in harm to these important and prominent protected trees, the application is considered to be contrary to saved Policies 59.BE and 181.LB of the adopted Local Plan, Policy DM1 of the Submitted Local Plan and the Council's 'Quality Places' and Chandler's Ford and Hiltingbury Character Areas' Supplementary Planning Documents. This will therefore form a further reason for refusal.

Residential Amenity

36. While some concern has been raised with regards to the amenity of neighbouring properties in terms of visual intrusion and loss of light, due to the orientation, proximity and relationship of the proposed dwelling to immediate neighbours, as well as the single storey nature of the development proposed, it is not considered that there would be any adverse or unacceptable impact upon the residential amenity of any neighbouring properties in terms of loss of privacy, light or outlook. As such the application is considered to accord with the amenity requirements of saved Policy 59.BE of the current Local Plan, Policy DM1 of the Submitted Local Plan and the Council's 'Quality Places' SPD.

37. The maintenance concerns of No.56 Nichol Road are noted but this is not a material planning consideration and would be a matter for the relevant land owners to arrange between them.

Parking, Access and Highway Issues

38. As has been set out above, no objection has been raised by the Head of Transportation and Engineering with regards to parking, access or highway safety. The proposed driveway and garage can easily accommodate the minimum of two off-road parking spaces required by the Council's 'Residential Parking Standards' SPD and clear sightlines would be available from the access, although some adjustment to the height of the boundary wall may be required and could be secured via condition should the application be approved. The application is therefore considered to comply with this element of saved Policy 59.BE of the current Local Plan and Policy DM24 of the Submitted Local Plan.

Planning Obligations/Considerations

39. The changes to the National Planning Practice Guidance (NPPG) have increased the threshold for when tariff based planning obligations can be required by new development. This means that developments of ten units or less (and which have a maximum combined floor space of no more than 1000 square metres) will be exempt from the need to provide tariff based planning obligations or affordable housing. The proposed development in this instance falls within this threshold and as such no planning obligations can be requested.

Other Material Considerations

40. 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

41. This area has a very strong character of sizable detached houses on large generous and well treed plots. This was a character deemed to be something that needs to be retained and protected, hence saved Policy 181.LB being within the adopted Local Plan and further backed up by the 'Chandler's Ford and Hiltingbury Character Areas' Supplementary Planning Document. That proposed is considered to be contrary to this policy and saved Policy 59.BE and is therefore recommended for refusal for the reasons set out above.



EASTLEIGH
BOROUGH COUNCIL

F/16/79575

Title:
**Land to rear of 77
Hoccombe Road
Chandler's Ford**

Scale:
1:1250
Map Ref:
SU4322NE
Date:
04/01/2017

