

CFH – Chandlers Ford and Hiltingbury Local Area Committee Wednesday 13 September 2017.

**Application Number:** F/17/81117

**Case Officer:** Steve Nangreave

**Received Date:** Friday 21 July 2017

**Site Address:** Stewart House, Sycamore Avenue, Chandler's Ford, SO53 5RW

**Applicant:** A Beal

**Proposal:** Proposed use of ground floor as one- bedroom flat, amendment to planning permission F/13/73298 to replace cycle and bin stores. Bin store relocated to existing garages, new cycle store, amended parking layout and amendments to fenestration.

**Recommendation:** PERMIT subject to no material highways objection.

#### **CONDITIONS AND REASONS**

- 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 titled; Location Plan, Site Plan, Proposed Side(East) Elevation Plan, Proposed Side (West) Elevation, Proposed Rear (South) Elevation, Proposed Cycle Store & Proposed Bin Store Within Existing Garages. Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 The materials to be used must match as closely as possible, in type, colour and texture those listed in Section [9] of the application form. Reason: To ensure a satisfactory visual relationship of the new development to the existing.
- 4 Prior to the occupation of the development or, in accordance with a timetable to be agreed in writing with the Local Planning Authority, 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

- 5 The development hereby permitted shall not be occupied until the garaging parking is available and car park has been constructed, surfaced and marked out in accordance with the approved plan. The garaging shall only be used for the parking of vehicles and approved parking area shall not thereafter be used for any purpose other than the turning, parking, loading and unloading of vehicles. Reason: To make provision for off street parking for the purpose of highway safety.
- 6 The development hereby permitted shall not be occupied until the approved bin & cycle storage facilities have been constructed in accordance with the approved details and thereafter retained and kept available. Reason: To ensure the adequate provision of on site facilities.
- 7 The development hereby permitted shall not be occupied until the "existing bin storage enclosure" has been removed from the site and the land shall be restored to its former use and condition in accordance with the details that have been submitted to and approved in writing by the Local Planning Authority. Reason: The "existing bin storage enclosure" is of a type not considered suitable for permanent retention.
- 8 The windows on the on the west elevation shall be obscure glazed to Pilkingtons level 3 or equivalent and shall be retained in that condition. Reason: To protect the amenity and privacy of the adjoining residential properties.

Note to Applicant: 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.

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Report:

This application has been referred to Chandler's Ford and Hiltingbury Local Area Committee on the basis of the problems encountered in the construction of this further addition to Stewart House.

**Description of Application**

1. This application is for full planning permission to use the ground floor as a single one- bedroom flat, thereby replacing the originally proposed cycle and bin storage area. The bin store being relocated within a pair of existing garages which is currently part of the associated garage court parking. A new

cycle store is to be situated to the rear of the application site. Finally an amended parking layout and revisions to fenestration to Stewart House is proposed.

### Site Characteristics and Character of Locality

2. Stewart House is a 1960's four storey block of flats addressing Sycamore Avenue, with amenity space to the rear and parking areas further to the south and east. The west wing of the building is two storey in height and forms a parade of shops. A less visually significant east wing has been constructed in recent years, with a further three storey addition. It is the ground floor of this application that is subject to the planning application subject of this report.
3. The surrounding area is residential in nature and mainly consisting of semi-detached dwellings and two storey maisonettes. There are no other blocks of flats of the design of Stewart House in the surrounding area.

### Relevant Planning History

4. The following planning applications are pertinent to Stewart House:

Z/39385/000/00	Conversion of existing ground floor offices/ retail into six self-contained flats. Approved March 2004
F/05/52914	Four storey side extension to provide additional 4 no. 2 bed flats; erection of ten no. single garages with associated lighting and landscaping to rear car park areas; erection of 1.8 metre high boundary wall to close off car park from adjacent shop servicing area, new refuse storage provision and alterations/improvements to existing access. (Amended Description). Approved February 2005
F/05/54964	Four storey extension to contain three no. 2 bed flats and cycle and bin store. Refused October 2005
F/05/55630	Four storey extension to contain three no. 2 bed flats and cycle and bin stores. Refused 2006 Appeal Dismissed October 2006
F/07/59960	Erection of three storey extension containing two no. 2 bed flats with cycle and bin stores below. Refused 2007 Appeal Allowed December 2007
F/07/60766	Erection of three storey extension to contain one no. 2 bed flat and one no. 1 bed flat with cycle and bin stores. Withdrawn September 2007
F/08/63689	Conversion of existing ground floor offices/retail into six self-contained flats.

	Approved December 2007
F/10/67943	Renewal of extant planning F/07/59960 for erection of three storey extension containing two no. 2 bed flats with cycle and bin store below. Approved October 2010
F/13/73298	Application for new planning permission to replace extant planning permission F/10/67943; three storey extension containing two no.2 bed flats with cycle and bin stores below. Approved December 2013
F/16/79401	Proposed use of ground floor as one-bedroom flat, amendment to planning permission F/13/73298 to replace cycle and bin storage. Erection of cycle and bin store and amendments to fenestration. Application Refused December 2016
F/17/81117	Proposed use of ground floor as one bedroom flat, amendment to planning permission F/13/73298 to replace cycle and bin stores. Bin store relocated to existing garages, new cycle store, amended parking layout and amendments to fenestration. Application subject of this report.

### Representations Received

5. At the time of preparing this Local Area Committee Report this planning proposal has generated two letters of objection as follows;
6. The occupier of flat 5F Stewart House highlights concerns that the reduction in on-site garaging and garages used by non-residents of Stewart House results in unauthorised car parking on surrounding grass verges, and the new addition impacting on the amenities of the occupier of flat 5F Stewart House.
7. Secondly an occupier of one of the maisonettes located to the east of Stewart House reaffirms the problem of inadequate parking and destruction of grass verges due to unauthorised parking. The visually poorly located unauthorised temporary bin store and subsequent problem of vermin. Loss of amenity due to overlooking and overdevelopment of the site.

### Consultation Responses

8. **Highway Engineers** – Comments are still awaited and the committee will be updated on the evening of the committee meeting.
9. **Environmental Health** – On the basis of the layout of the ground floor reflecting the first floor layout, there is no objection in principle to the proposed development and neither a request to impose any planning conditions.
10. **Direct Services** – Confirmation that the number of bins meets the Council's policy of one pair of euro bins per six units. For clarification the number of bins

that are required will be 4x grey lidded 1100 litre Eurobins and 4x green lidded 1100 litre euro bins, to be supplied by the developer.

### **Policy Context: Designation Applicable to Site**

- Within Built-up Area Boundary
- Within Established Residential Area

### **Development Plan Saved Policies and Emerging Local Plan Policies**

- Eastleigh Borough Local Plan Review 2001-2011 saved Policies 28.ES (Waste collection) 34.ES (Sustainable development) 59.BE (New development criteria) 100.T (Transport and new development) 101T (Highway contributions) and 104.T (Parking)
  - Submitted Eastleigh Borough Local Plan 2011-2029, July 2014 Policies: DM1 (General criteria for new development) DM2 (Environmentally sustainable development) DM23 (General development criteria – transport) DM24 (Parking) DM32 (Provision of recreation and open space facilities with new development) DM37 (Funding infrastructure)
11. 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)
- Supplementary Planning Document: Environmentally Sustainable Development (March 2009)
- Supplementary Planning Document: Planning Obligations (July 2008, updated 2010)

### **National Planning Policy Framework**

12. The National Planning Policy Framework (NPPF) supports and encourages sustainable development which is considered to have three roles, economic, social and environmental. Paragraph 8 of the NPPF states that “These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.”
13. Furthermore the NPPF highlights that good design is a key aspect of sustainable development, is indivisible from good planning, and should

contribute positively to making places better for people (paragraph 56) and goes on to state that decisions should aim to ensure that development 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 (paragraph 58).

### **Policy Commentary**

14. The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to layout and design, impact on the street scene and character of the surrounding area, impact on residential amenity, parking, cycling and refuse disposal issues.

### **Assessment of Proposal: Development Plan and / or Legislative Background**

#### **Proposal**

15. The application is for full planning permission to allow use of ground floor as one-bedroom flat being an amendment to extant planning permission F/13/73298, replacing the originally proposed cycle and bin storage. In addition amendments to the parking layout and proposed fenestration. The cycle storage is to be relocated within a purpose built enclosed structure situated in the south east corner of the application site, between the existing garages and a substation. Ten 1100litre Eurobins being located within a pair of garages located near site entrance with Sycamore Avenue. The total ten bins comprising six refuse and four recycling.

#### **Planning History**

16. It should be acknowledged that the principle of a three storey extension to Stewart House was established when planning application F/07/59960 was allowed on appeal by the Planning Inspectorate in 2007. This was re-examined for the renewal application F/10/67943 in 2010 and F/13/73298 in 2013 and was considered then there had been no material change to the surrounding area or local planning policy since the original appeal approval. Accordingly, planning permissions have been renewed establishing the principle of the three storey extension to Stewart House and work commenced on constructing this addition.

#### **Policy and Principle**

17. 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."*

18. Notwithstanding the existence of an extant planning permission, in strict planning policy terms the application site is located within the Urban Edge

as designated by the extant local plan, where the basic principle of residential development is acceptable. With any formal planning approval being based upon the exact nature, design and impact of that proposal being considered appropriate and in accordance with the relevant Local Plan policies, supplementary planning documents and guidance.

19. In this case the relevant saved local plan policies are 28.ES, 34.ES, 59.BE, 100.T, 101.T and 104.T.
20. Saved policy 28.ES requires that provision should be made in the design and layout of housing development 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.
21. 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.
22. 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, 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, and loss of outlook, noise and fumes.
23. Saved policy 100.T states that *inter alia* that development which accords with other relevant policies of the Plan will be permitted provided it is or could be well served by public transport, cycling and walking; and includes measures that minimises its impact on the existing transport network.
24. Saved policy 101.T states that development which results in additional traffic on local roads network will; only be permitted if the Council is satisfied that there is a proven need for the development in the location proposed and; be subject of the provision of contributions towards the implementation of the Local Transport Plan and/or other transport proposals set out in the Local Plan.
25. Saved Policy 104.T requires that adequate off-highway parking is provided to serve new development.

### **Layout, Design & Impact on Character & Appearance**

26. It should be acknowledged that a duplicate scheme was refused late last year (reference F/16/79401). The grounds of refusal revolving around inappropriate external finish to the three storey extension to Stewart House. The location of the replacement bin storage area to the rear of the site having the potential to result in disturbance to occupiers of surrounding residential properties and the

excessive distance from the public highway for the emptying of the refuse bins.

27. This submission includes a render finish at ground floor with the fenestration at the same level, matching that as approved at first and second floor. These revisions to the three storey building do not perpetuate the very dated design of Stewart House, but create a more contemporary design response that will make a positive contribution towards the character and appearance of the areas. Accordingly, following the thrusts of national and local guidance that new development will enhance the host environment.

### **Residential Amenity**

28. The matter of amenity areas for current occupiers and future occupiers of Stewart House has been resolved in the context of the current private amenity area to the south of the block of flats in addition to the informal recreation space at nearby Hiltingbury Recreation Ground.
29. In terms of the impact of the three storey flat development on surrounding neighbours living conditions, as highlighted by the occupier of the nearby maisonettes. This matter was accepted by the Planning Inspector who allowed the 2007 planning appeal.
30. The alternative use of two of the existing garages for the relocation of the bin storage area, due to the enclosed nature will ensure there is no material harm to the amenities of nearby residents. In addition will remove the current unauthorised and unsightly bin storage arrangements at the vehicular site entrance to Stewart House. These two converted garages will accommodate a total of ten 1100 litre euro bins (six refuse and four recycling), exceeding the eight euro bins stipulated by the Council's Direct Services. It should be noted that the two garages in question were previously in third party ownership and did not provide car parking serving Stewart House.

### **Transport**

31. Although a formal highways response has not been received at the time of writing it should be noted that no objection was raised to the previously refused duplicate scheme (reference F/16/79401). As such it is not envisaged that any objection will be raised on highway or parking grounds in this instance.

### **Sustainability**

32. The NPPF in paragraphs 95-99 requires development to be fully sustainable in terms of resource use, climate change and energy use. The adopted Environmentally Sustainable Development SPD gives more specific guidance on requirements. In March 2015, a Ministerial Statement announced Code for Sustainable Homes would cease to be applied to new development although the requirements to still achieve the Code's standards for energy and water remain. These standards along with the remaining essential requirements set



out in the SPD can be secured by the imposition of appropriately worded conditions. According with current policies and guidance aimed at securing sustainably constructed development.

### **Planning Obligations / Considerations**

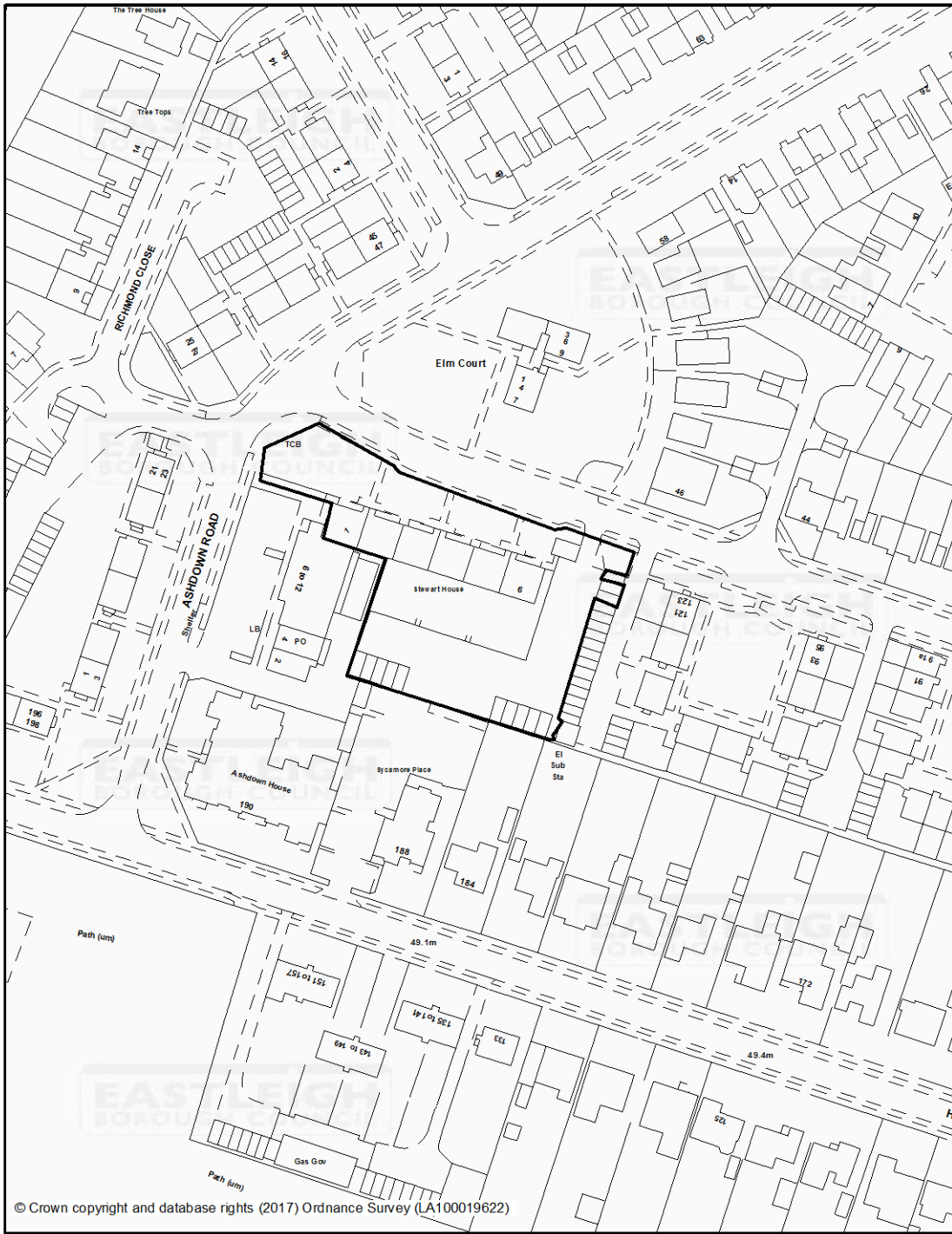
33. The changes to the National Planning Practice Guidance (NPPG) have increased the threshold for when tariff based planning obligations can be required for new development. This means that development of ten units or less (and which have a maximum floor space of no more than 1000 square metres) will 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**

34. Reference needs to be made to the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

### **Conclusion**

35. For the reasons outlined in this report the recommendation is to permit the creation of a single flat and relocate the displaced bin and cycle storage areas within the curtilage of Stewart House.



**Development  
Management**

**Title:**  
**F/17/81117**

**Stewart House, Sycamore  
Avenue**

**Scale:**  
**1:1250**  
**Map Ref:**  
**SU4322SW**  
**Date:**  
**30/08/2017**

