

P/16/1194/OA

WARSASH

BRIDASH DEVELOPMENTS LTD

AGENT: A D P ARCHITECTS LTD

TWO DETACHED 3-BED DWELLINGS (OUTLINE APPLICATION)

WAYSIDE 66 WARSASH ROAD WARSASH SOUTHAMPTON HAMPSHIRE SO31 9JA

Report By

Susannah Emery - Direct dial 01329 824526

Site Description

The application site comprises part of the rear garden of Nos 66 and 66a Warsash Road which is a detached two storey dwelling with an attached annex (now permitted for use as an independent dwelling). The site is located within the urban area on the south side of Warsash Road midway between its junctions with Lockswood Road to the east and Dibles Road to the west. The application site is mainly laid to lawn. The eastern boundary consists of a 2m hedge and the western boundary consists of a conifer hedge with an average height of 4m both of which would remain. There is one Oak tree on the rear boundary protected by a Tree Preservation Order.

Description of Proposal

Outline Planning permission is sought for the erection of two detached 3-bed two storey dwellings to the rear of the existing dwellings. Access and Layout are to be considered with all other matters reserved.

The existing properties have two accesses on to Warsash Road and car parking is currently in a shared and informal arrangement on the site frontage. It is proposed to use the western access point for the main dwelling and the proposed development and to remove the existing side attached garage to No.66 to provide for a drive along the western boundary to access the rear of the site. The annexe would retain use of the eastern access point on to Warsash Road and car parking for both the main dwelling and the annexe would remain on the frontage. The proposed dwellings would be provided with two allocated car parking spaces each. The rear gardens to the dwellings would measure between 16.5-19m in length.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS9 - Development in Western Wards and Whiteley

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

Development Sites and Policies

DSP3 - Impact on living conditions

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Relevant Planning History

The following planning history is relevant:

<u>P/16/0459/TO</u>	REDUCE FOUR PREVIOUSLY CUT STEMS TO THEIR BASE OF T1 (OAK) OF TPO 626 - SEE ANNOTATED PHOTOGRAPH	
	APPROVE	19/05/2016
<u>P/15/0258/OA</u>	OUTLINE PLANNING APPLICATION FOR ERECTION OF TWO DETACHED DWELLINGS TO REAR OF EXISTING DWELLING (ACCESS & LAYOUT)	
	WITHDRAWN	08/05/2015
<u>P/14/1045/OA</u>	PROPOSED ERECTION OF DETACHED THREE-BED BUNGALOW (OUTLINE APPLICATION)	
	APPROVE	23/12/2014
<u>P/13/0995/LU</u>	USE OF FORMER ANNEX AS SEPARATE RESIDENTIAL DWELLING HOUSE	
	APPROVE	16/01/2014

Representations

Eighteen letters have been received objecting on the following grounds;

- Overdevelopment
- Development should be limited to single storey/chalet style
- Proposed dwellings would be highly visible from Warsash Road and to neighbouring properties
- The houses to the rear of Swinton Hall were not built in back gardens and have a dedicated access road and therefore there is no comparison
- A gain of two houses is not worth the cost of the development to neighbouring properties, the loss of undeveloped land, traffic, noise and pollution
- Contrary to Design Guidance SPD
- Overbearing/Obtrusive
- Overlooking
- Access would be on a dangerous bend
- Additional vehicle movements on Warsash Road
- Width of access insufficient for contractors vehicles which would be parked on Warsash Road
- Inadequate on-site parking for visitors/deliveries
- Inadequate access for emergency services
- Unacceptable layout of car parking for existing dwellings and conflict with proposed access
- Unauthorised works to Oak tree covered by TPO prior to submission of planning application

- Replacement trees should be planted
- Impact on remaining trees on rear boundary
- Noise Disturbance
- Setting a precedent for undesirable two storey backland development

Six letters of support have also been received

Consultations

INTERNAL

Trees - If adequate precautions to protect the retained trees are specified and implemented in accordance with the arboricultural method statement included in the tree report (N J Trowell - 11 October 2016) the development proposal will have no adverse impact on the contribution of the TPO trees to the public amenity or the character of the wider setting.

Highways - It will be necessary for a full 5m wide width access to be created from Warsash Road, with, if necessary, the relocation of a utility cabinet on the existing footway. It will be necessary to demonstrate that a 5.9m delivery vehicle will be able to turn on site in the event that all the allocated parking spaces are occupied. Subject to these revisions no objection would be raised subject to conditions.

Planning Considerations - Key Issues

The key issues in this case are:

- Principle of Development
- Impact on the Character of the Area
- Impact on Living Conditions of Neighbouring Properties
- Highways
- Trees
- Solent Disturbance Mitigation

Principle of Development

Policies CS2 (Housing Provision) and CS6 (The Development Strategy) of the adopted Fareham Borough Core Strategy place priority on reusing previously developed land within the defined urban settlement boundaries to provide housing. The National Planning Policy Framework (NPPF) excludes private residential gardens from being defined as previously developed land but sets out there should be a strong presumption in favour of sustainable development. It is recognized that garden sites can assist in meeting housing needs provided that the proposed development is acceptable in all other respects. The site is located within the defined settlement boundary such that the principle of re-development of the land is acceptable subject to an assessment of the impacts.

The site is adjacent to an undeveloped piece of land to the west; in 2008 and 2009 planning permissions were refused for development of this land, in part, because it was considered to represent piecemeal development, prejudicial to the development of a larger area of land to the rear of properties on Warsash Road. However, since then planning permission has been granted for the erection of four detached dwellings to the rear of Swinton Hall, to the east of the application site, significantly reducing what might have been considered as the available land and at the same time this has provided a potential access point to the adjacent garden land to the rear of Nos. 68-74 Warsash Road. The land to the west of the

application site still has potential to be developed from its own frontage. As a consequence, it is not considered that the application proposal would prejudice the development of a larger area of land.

Outline planning permission was granted in 2014 (P/14/1045/OA) for the erection of a detached bungalow on the application site. At that time the access and parking arrangements for the existing dwellings were agreed and these remain the same for the current application. It is considered that the site is large enough to accept a higher density of development to contribute to the more efficient use of land within the built up area. In 2015 outline planning permission (P/15/0258/OA) was sought for the erection of two detached dwellings as an alternative to the permitted bungalow but this application was withdrawn in May 2015.

Impact on the Character of the Area

The character of the area is one of a great mixture of housing types and ages. Given that the proposed dwellings would be set back approx. 45m from Warsash Road and the size of the frontage building it is not considered that the proposed dwellings would be prominent within the streetscene. The dense high hedging along the western boundary means that it would only be possible to glimpse the roof of the proposed dwellings from Warsash Road across the undeveloped plot to the west. The dwellings would not be viewed as isolated dwellings set back behind the main built up frontage within an area of undeveloped land as the dwellings to the rear of Swinton Hall are also set back in a similar position and there are properties to the south on Dibles Road which sit back behind the main road frontage.

The plot size of the existing dwelling previously formed when the bungalow was permitted would be reduced further by 5 metres in length but it is still considered to be of a reasonable size. Although neighbouring properties, particularly those on Warsash Road, benefit from more generous rear gardens it is not considered that the subdivision of the plot would represent overdevelopment of the site or a cramped form of development. There are many examples of more modest plots such as those proposed within the locality. It is not considered that the proposal would have an unacceptable impact on the character or appearance of the surrounding area.

Impact on Living Conditions of Neighbouring Properties

It has been suggested within the representations received that development on the application site should be limited to single storey or a chalet style design. The Fareham Borough Council Design SPD does not state that two storey development is not acceptable on backland sites. It states that dwellings within backland locations must be carefully designed to preserve the outlook and privacy available to existing properties and that properties constructed in these locations may often need to be single storey in design to minimise the impact upon neighbours. As the application site is a reasonably large plot it is not considered that it is necessary to limit development to a bungalow/chalet bungalow as more than the minimum levels of separation required between neighbouring properties can be achieved.

There would be only oblique views towards the east from the first floor windows of Plot 1. The amenity space of No.68 is already overlooked to the same extent by the existing dwellings and the adjoining property to the east. It is therefore not considered that the proposal would have a detrimental impact on the living conditions of the occupants of this property in terms of loss of privacy. The first floor rear facing windows within the proposed

dwellings would be approx. 18m from the rear garden boundary with properties on Dibles Road so this exceeds the minimum distance required of 11m between new first floor windows and private garden areas. The nearest facing windows within the dwellings to the rear of the application site on Dibles Road would be in excess of 40m away from the proposed dwellings which far exceeds the minimum separation distance of 22m normally sought. The corner of No.35 Dibles Road would be 21m away from the rear corner of Plot 1 but the two dwellings would not have a direct facing relationship.

During the consideration of the previous application for the erection of the two detached dwellings on the site (P/15/0258/OA) officers raised concerns that as a result of the height of Plot 1 and the proximity of this dwelling to the eastern boundary the proposal would have an overbearing impact on the adjacent private garden area to the detriment of the living conditions of the occupants of that property (No.68). The garden area of No.68 is generous measuring in excess of 50m in length however there is a patio area which would have been sited close to the flank wall of Plot 1 and the two storey flank wall of Plot 1 would have been set 2m off the boundary. The proposal has been amended setting the two storey bulk of the dwelling 4.5m off the boundary with No.68 Warsash Road. A single storey element would extend to within 2m of the boundary and whilst the appearance of the dwellings is reserved it has been suggested that the roof could be designed to slope away from the boundary. Officers are of the opinion that a refusal of the current planning application on the grounds of the impact on the amenity space of the neighbouring property would be difficult to substantiate.

Highways

Amendments have been sought to widen the access to 5m for the initial section and to provide adequate on-site turning space for a 5.9m delivery vehicle as requested by the Council's Highways Engineer.

An access to the rear of the site to serve a single dwelling and the layout of the car parking on the site frontage to serve the existing dwellings was previously permitted in 2014. The layout of this parking is considered acceptable and would enable vehicles to leave and enter Warsash Road in a forward gear. Although the access would previously have only served one property officers are satisfied that it would be suitable to serve two properties. The width of the access drive would initially be 5m allowing two way traffic to pass in the entrance but would then narrow to 3m adjacent to the existing dwelling. The access would then widen back out in front of the proposed dwellings providing a turning space for a larger vehicle. Car parking would be provided in accordance with the Council's Residential Car & Cycle Parking SPD which equates to two car parking spaces for each 3-bed dwelling. There is no requirement to provide visitor parking for a development of only two dwellings.

Trees

There are three oak trees to the south of the application site which have canopies or roots that encroach on to the application site. One of these Oak trees (T2) stands on the application site centrally positioned on the rear boundary and is covered by a Tree Preservation Order (TPO). There is another unprotected Oak (T1) within the south-east corner of the site on the boundary with No.35 Dibles Road which is considered to be in poor condition and the third Oak (T3) also protected by a TPO which is within the rear garden of No.21 Dibles Road. The Council's Principal Tree Officer has raised no objection to the proposal as it is not considered that the proposal would have a detrimental impact on the boundary trees due to the level of separation.

Attention has been drawn to unauthorised works that were carried out to T2 in April 2015 just prior to the withdrawal of the previous application for the erection of two dwellings. The tree was formerly a multi-stem tree but several stems were significantly reduced in height without permission reducing the crown of the tree. Following the unauthorised tree works the Council successfully prosecuted the land owner resulting in them being convicted of the offence. Planning consent has subsequently been granted to reduce the effected stems to ground level as in light of the works already undertaken it was not considered that this would have any significant negative impact on local public amenity or the health and condition of the tree.

Officers acknowledge that the size and position of the protected Oak tree(T2) on the rear boundary has previously been seen as a constraint to the development of the application site due to the overshadowing effect. However this planning application must be determined on its own merits on the basis of the current site conditions. The personal views of third parties on the land owner's motives for the unauthorised works need to be set aside as this is not relevant to the determination of the planning application. The Local Planning Authority is not able to withhold planning permission on the grounds that the land owner previously carried out unauthorised works to the tree which would otherwise not have been granted.

Solent Disturbance Mitigation

Through the work of the Solent Recreation Mitigation Partnership (SRMP) it has been concluded that any net increase in residential development will give rise to likely significant effects on the Solent Coastal Special Protection Areas (SPA's), either 'alone' or 'in combination' with other development proposals. In accordance with Policy DSP15 of the adopted Fareham Borough Local Plan Part 2 all development will be required to mitigate the negative impact. This is achieved via a commuted payment which has been secured under section 111 of the Local Government Act 1972.

Summary

It is not considered that the proposal would have a detrimental impact on the character of the area, the living conditions of neighbouring residential properties, highway safety, or the retained trees. The proposal complies with the relevant local plan policies and is considered acceptable subject to conditions.

Recommendation

OUTLINE PLANNING PERMISSION subject to conditions

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the procedures set out in the Town and Country Planning (General Development Procedure) Order 1995 and Section 91 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

REASON: To comply with the procedures set out in the Town and Country Planning (Development Management Procedure) Order 2010 and Section 92 of the Town and Country Planning Act 1990.

3. Approval of the details of the appearance and scale of the dwellings and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

REASON: To comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 1995 (or any Order revoking or reenacting that Order).

4. The development shall be carried out in accordance with the following approved documents:

a) Site Location Plan (1:1250) - drwg No. 1680 L02

b) Site Plan - drwg No. 1680-05e Rev E

c) Site Section - drwg No. 1680-07b

d) Illustrative Elevation - drwg No. 1680-06b

e) Tree Survey, Arboricultural Impact Assessment & Tree Method Statement (N J Trowell 11 October 2016)

REASON: To avoid any doubt over what has been permitted.

5. No development above damp proof course (DPC) shall take place until details of the facing and roofing materials to be used in the construction of the dwellings hereby permitted, have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

6. No development above damp proof course (DPC) shall take place until details of the finished treatment of all hard surfaced areas have been submitted to and approved by the local planning authority. The approved details shall be fully implemented before any part of the approved development is first brought into use or occupied.

REASON: To ensure that the finished appearance of the development blends satisfactorily with its surroundings in accordance with Policy CS17 of the Fareham Borough Core Strategy.

7. No development above damp proof course (DPC) shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are first occupied or in accordance with a timetable agreed in writing with the local planning authority and shall thereafter be retained at all times.

REASON: In the interests of residential amenity; in the interests of the visual amenity of the area.

8. The dwellings hereby approved shall not be occupied until the means of vehicular access to Warsash Road has been widened and constructed in accordance with the approved plans.

REASON: In the interests of highway safety; in accordance with Policies CS15 and CS17 of the Fareham Borough Core Strategy.

9. The dwellings hereby approved shall not be occupied until the approved parking and turning areas have been constructed in accordance with the approved details and made available for

use. These areas shall thereafter be kept available for the parking and turning of vehicles at all times.

REASON: In the interests of highway safety; in accordance with Policies CS15 and CS17 of

the Fareham Borough Core Strategy.

10. The dwellings hereby approved shall not be occupied until the bin and cycle storage areas have been made available in accordance with the approved plans. The designated areas shall thereafter be kept available and retained at all times for the purpose of bin and cycle storage.

REASON: In the interests of visual amenity; in order to facilitate modes of transport alternative to the motorcar; in accordance with Policies CS15 and CS17 of the Fareham Borough Core Strategy.

11. The dwellings hereby approved shall not be occupied until an eastward visibility splay of 2.4m by 59m has been provided at the junction of the access road with Warsash Road in accordance with the approved details. This visibility splay shall thereafter be kept free of obstruction at all times.

REASON: In the interests of highway safety; in accordance with Policies CS15 and CS17 of the Fareham Borough Core Strategy.

12. The development shall be undertaken in accordance with the Arboricultural Impact Assessment & Tree Method Statement (N J Trowell 11 October 2016) unless otherwise first agreed with the Local Planning Authority in writing.

REASON: In the interests of the appearance of the area; to ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period.

13. No work relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised public holidays, unless otherwise first agreed in writing with the local planning authority.

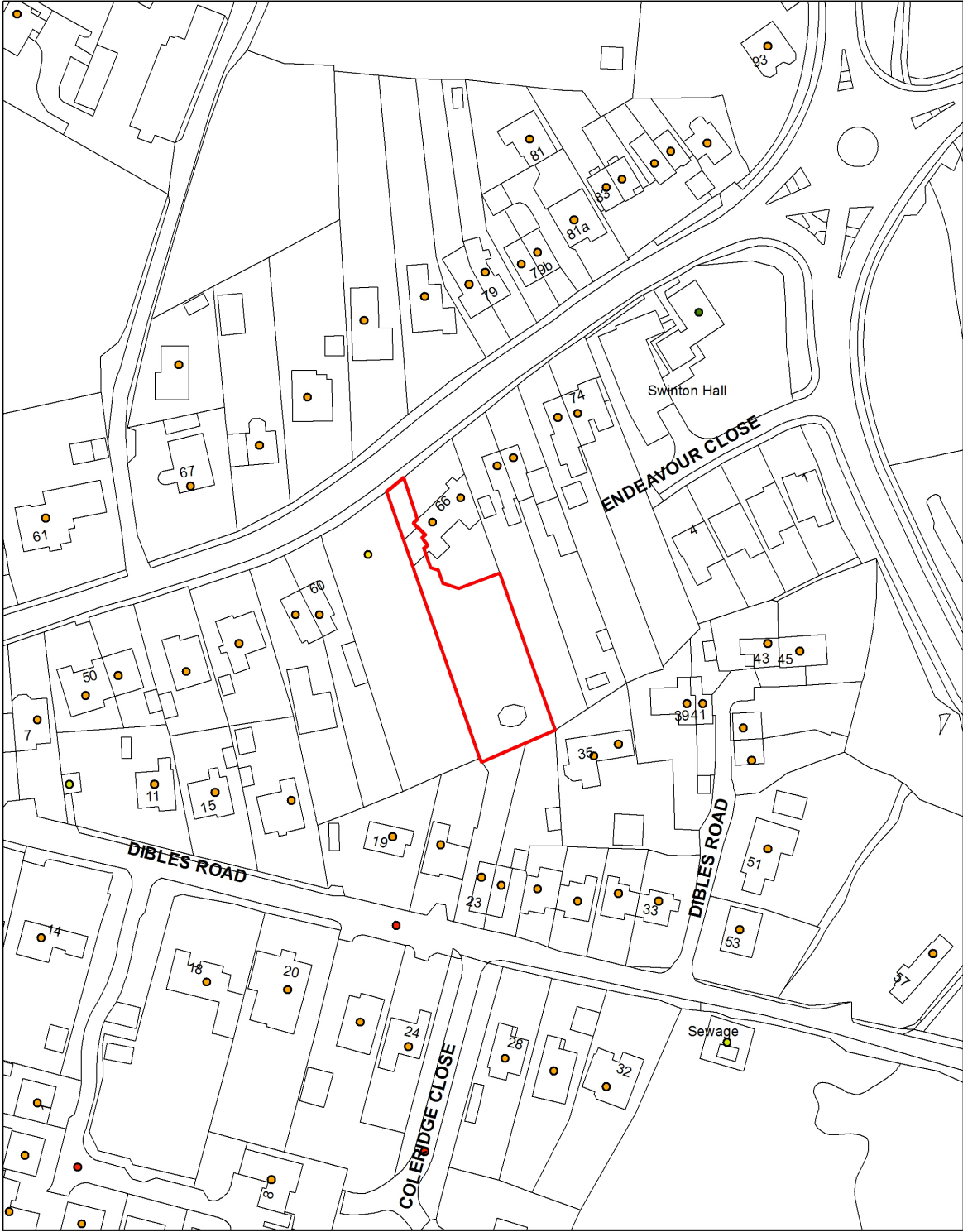
REASON: To protect the living conditions of the occupiers of nearby residential properties.

Background Papers

P/16/1194/OA

FAREHAM

BOROUGH COUNCIL



Wayside
Scale 1 : 2,500



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2015