

P/18/0247/FP

WARSASH

MR & MRS HEATHORN

AGENT: LUKEN BECK M D P LTD

ERECTION OF REPLACEMENT DWELLING (ALTERNATIVE TO P/16/1415/FP) INCLUDING TWO DETACHED DOUBLE GARAGE WITH FIRST FLOOR ACCOMMODATION ABOVE, HARD & SOFT LANDSCAPING, AND RETROSPECTIVE ALTERATIONS TO GROUND LEVELS AND INSTALLATION OF RAINWATER HARVESTING SYSTEM

DRIFT HOUSE BROOK AVENUE WARSASH SOUTHAMPTON SO31 9HN

Report By

Susannah Emery - direct dial 01329 824526

Introduction

Planning permission was granted in 2001 under officers delegated powers for the erection of a large two storey replacement dwelling on the application site with a width of 21.7 metres and height of approximately 10 metres. This planning permission was not implemented. There have subsequently been two planning applications for replacement dwellings reported to the planning committee in 2016/2017.

The first application (P/16/0421/FP) was reported to committee in October 2016 with a favourable recommendation. However Members were concerned by the size, bulk and proximity of the dwelling to the boundaries with neighbouring properties and resolved to refuse the planning application for the following reason;

"The proposed development is contrary to Policies CS14 and CS17 of the adopted Fareham Borough Core Strategy and Policy DSP6 of the Fareham Borough Local Plan Part 2: Development Sites and Policies and is unacceptable in that by virtue of the height, width, resultant bulk and proximity of the proposed dwelling to the site boundaries the proposal would fail to respond positively to and be respectful of the key characteristics of the area including its landscape, scale, form and spaciousness. The proposal would therefore be detrimental to the character of the area particularly when viewed from the River Hamble, the opposite side of the river and the public footpath on the eastern side of the river."

The design of the dwelling was subsequently amended by the removal of the one and a half storey wings to each side of the dwelling, the ridge height was reduced by 0.5m and the detached triple garage on the frontage was replaced with two detached double garages to sit either side of the dwelling. The second planning application (P/16/1415/FP) was permitted by Members in February 2017 however Members did not consider the proposed landscaping scheme to be adequate and a planning condition was imposed for the landscaping scheme to be submitted before development could proceed beyond damp proof course (DPC) level. Permitted development rights for extensions to the dwelling and alterations to the roof of the dwelling were removed to prevent future expansion of the property without the need for a further planning application.

An application to discharge the landscaping planning condition attached to P/16/1415/FP was reported to the planning committee in August 2017. Despite a favourable officer recommendation Members continued to have concerns and were not satisfied with the proposed landscaping scheme. The application was refused for the following reasons;

"The proposed landscaping scheme would be contrary to Policy CS17 of the adopted Fareham Borough Core Strategy in that it fails to provide sufficient new tree planting to the western side of the permitted dwelling which is characteristic of the surrounding dwellings and is necessary to soften views of the approved replacement dwelling from public vantage

points to the west. In the absence of sufficient additional tree planting the replacement dwelling is considered to have an unacceptable visual impact on the appearance of the area when viewed from the west."

This current planning application proposes an alternative dwelling to that previously permitted last year.

Site Description

This application relates to a site to the west side of Brook Avenue which lies on the banks of the River Hamble. The site is located within the countryside and abuts an area which has international recognition and protection for its biodiversity value. The adjoining land to the rear forms part of the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) designated at international level; the Solent and Southampton Water Ramsar site designated at a national level; and the Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI).

The site was previously occupied by a detached two storey dwelling which was positioned to the northern side of the plot. The dwelling occupied an extensive plot with a rear garden measuring in excess of 140m in length. An outdoor swimming pool and detached garage stood to the south side of the dwelling. Following the sale of the property in 2016 the majority of the trees, plants and other landscaping was removed from the site and the boundaries with neighbouring properties before the first planning application was submitted. The original dwelling has now been demolished and work has commenced on construction of the detached garages, as well as more general groundworks, permitted last year (reference P/16/1415/FP).

Work has also recently been carried out on the site which has resulted in levels in some areas being raised around the footprint of the permitted and proposed dwellings. This is discussed later in this report. In addition drainage channels and water tanks forming part of the rainwater disposal/harvesting system have been installed and ground levels raised accordingly in some parts of the site.

Description of Proposal

Planning permission is sought for the erection of a detached dwelling with accommodation set over three floors. The dwelling would have five bedrooms each with en-suite bathrooms with the potential for additional bedrooms on the second floor. Two detached double garage blocks are proposed on the frontage each with guest accommodation above. The dwelling would have a raised terrace to the rear with an area of patio extending out centrally down the garden. The vehicular access to the site would be relocated centrally on the frontage with existing laurel hedging retained and reinforced along the Brook Avenue frontage.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

Development Sites and Policies

DSP3 - Impact on living conditions

DSP6 - New residential development outside of the defined urban settlement boundaries

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Relevant Planning History

The following planning history is relevant:

<u>P/01/0427/FP</u>	Replacement Dwelling, Swimming Pool, Conversion/Extension of Existing Double Garage to Form Staff Annexe and New Double Garage.	PERMISSION	07/12/2001
<u>P/16/0421/FP</u>	Demolition of Existing Dwelling & Erection of Replacement Dwelling	REFUSE	13/10/2016
<u>P/16/1415/FP</u>	Demolition of Existing Dwelling and Erection of Replacement 5-Bed Dwelling	APPROVE	23/02/2017
<u>P/16/1415/DP/A</u>	Demolition of Existing Dwelling and Erection of Replacement 5-Bed Dwelling; Details Pursuant; Condition 6 (Landscaping)	REFUSE	18/08/2017

Representations

Twenty-three representations have been received (including one from the Fareham Society) raising the following objections;

- What is the need for this application when planning permission has already been granted
- The plans are similar to a previously refused application and should be refused again
- The proposed house is approx. 6 times larger than the original property which is excessive
- Looks like an institution rather than a private residence
- The dwelling would appear significantly larger than the approved plan due to the design
- The dwelling would span the entire plot
- The dwelling would dominate the landscape
- Not in keeping with the surrounding area
- Detrimental to character of the area particularly when viewed from River Hamble
- Design takes little or no account of the nature of the site and shows little architectural creativity
- The site is an eyesore
- Ground works are not in line with current planning permission
- The site has been built up which would increase the dwellings dominance rather than utilising the natural slope of the land
- The application is misleading in that alterations to ground levels and installation of the rainwater harvesting system are retrospective
- The origins of imported material are unknown and could be harmful to SSSI
- Impact on public sewer running across the site
- Proximity of garage to adjacent annexe would result in loss of privacy and potential noise and disturbance

- Impact on wildlife including slowworms, badgers and bats
- Impact of development on SSSI from contaminants
- No attempt has been made to restore landscaping and trees previously removed
- Developer shows no regard to planning, neighbours or ecology
- Impact on surface water flow which has already caused flooding of neighbouring properties
- The drainage system proposed could cause flooding to adjacent properties
- Potential damage and disruption during building works
- Loss of views of River from Brook Avenue
- Proposed landscaping not adequate
- Japanese Knotweed may have been spread around the site and to neighbouring properties

Consultations

INTERNAL

Highways - No objection subject to conditions for the provision and retention of car parking, visibility splays & bin/cycle storage.

Ecology - The site is located immediately to the east of the Solent and Southampton Water SPA, SAC and Ramsar, Lee-on-the Solent to Itchen Estuary SSSI and Hook with Warsash LNR. The Extended Phase I Ecological Assessment by Pro Vision Ecology report lists a number of statutory and nonstatutory designated sites within 1km of the site and then simply states that "Despite the distance between the Site and those statutorily designated sites highlighted in 4.1, it is considered unlikely development at Drift House would have significant foreseeable effects on Statutory Sites of Nature Conservation Interest". Sections 5.3 and 5.4 of the Pro Vision Ecology report acknowledges the pollution risk during the construction phase on the BAP habitat (Coastal Saltmarsh) which adjoins the western boundary but has failed to acknowledge this as an impact on the adjoining internationally, nationally and locally designated sites. Section 5.17 of the report states that the works "may disturb waders and Brent Geese using adjacent sites to the west for foraging during the over-wintering period". However, this impact is then discounted on high levels of public access and distance.

It is evident that as the site has already been cleared, the site is of limited value to protected species. As the main building on site has already been demolished, there are no concerns in relation to roosting bats. However, I notice that the previous ecology report (Phase II Bat Survey and Report Update by David Leach, December 2016) had recommended 3 bat boxes/tubes and the new report (Extended Phase I Ecological Assessment by Pro Vision Ecology, February 2018) has reduced this to the inclusion of only one bat box within the new build. Therefore, I request that the new ecology report is amended to reflect the original recommended number of bat boxes. I am satisfied with the justification provided in relation to the removal of the previously included wildflower meadow from the landscaping proposals.

Natural England did not raise any objections in their previous consultation response in relation to the previous planning application subject to a number of planning conditions being imposed. Provided that a condition preventing percussive or works with heavy machinery during the bird overwintering period is added, as requested by Natural England, and a suitable CEMP (Construction Environmental Management Plan) is produced, I raise no further concerns.

EXTERNAL

Natural England - No objection subject to planning condition to prevent percussive piling or

works with heavy machinery within the overwintering period and the submission of a Construction Environmental Management Plan (CEMP) and a Biodiversity Mitigation and Enhancement Plan (BMEP).

Planning Considerations - Key Issues

a) Principle of Development

The site is located within the countryside where local plan policies set out that new development will be strictly controlled. In this instance the application site has been in residential use previously and, although currently vacant with the original dwellinghouse having been demolished, enjoys the benefit of planning permission for a large detached replacement dwelling. Officers therefore consider the principle of a proposed alternative dwelling to be acceptable and there to be no conflict with relevant local plan policies. Notwithstanding, there are various detailed planning considerations to be taken into account which are set out in turn below.

b) Impact on Character/Appearance of the Area

Policy CS14 of the adopted Fareham Borough Core Strategy relates to development outside of the urban area and states that "Built development on land outside of the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function." It continues by explaining that "In coastal locations, development should not have an adverse impact on the special character of the coast when viewed from the land or water."

The dwelling proposed on the application site would sit amidst a row of seven substantial dwellings which occupy a prominent position to the western side of Brook Avenue on the banks of the River Hamble. The dwellings are all of different design but have a traditional style and appearance and sit within large, mature established gardens. The properties have relatively open rear gardens which means the dwellings can be viewed from the River Hamble public footpath and benefit from largely uninterrupted views of the River Hamble. The boundaries between the properties tend to be well lined with trees and vegetation and provide screening of the properties in long distance oblique views from the public footpath so that the properties are viewed in turn as you move along the footpath.

The appearance of the proposed replacement dwelling from the waterfront and from the opposite side of the river has been of particular concern to Officers throughout the consideration of the previous applications. The design of the dwelling was significantly altered in the time between the first application being refused and the second application being permitted to reduce its scale and bulk. At the planning committee meeting for the first application Members expressed specific concerns about the one and a half storey wings which were a feature to either side of the main two storey bulk of the dwelling. The wings were considered to extend too close to the boundaries thus impacting on the spacious character of the area and resulting in a dwelling of excessive bulk in relation to neighbouring properties. The subsequent removal of the wings from the dwelling for the second application increased the distance between the proposed dwelling and the north and south boundaries from approx. 4m either side to approx. 9m either side which was considered to be more in keeping with the spacious character of the area.

The main differences between the dwelling previously permitted and the current proposal are the reintroduction of the one and a half storey wings to either side of the dwelling, the provision of second floor accommodation and alterations to the style and appearance of the dwelling. The height of the proposed dwelling has not been significantly altered, and would be marginally lower through the central section than the permitted dwelling. A larger extent

of flat roof is required in order to provide the second floor accommodation without raising the ridge height. The dwelling would be set 4.5m off the boundary with Hamble's Edge and 4m off the boundary with Fenmead which is similar to the level of separation indicated on plans for the first refused planning application.

In officers opinion the reintroduction of the one and a half storey wings appears to be a backwards step in terms of achieving a dwelling of appropriate scale for the plot which would be in keeping with the surrounding area. The wings would be set back from the front of the dwelling and also positioned behind the detached garages on the frontage so would be less visible within the streetscene but would be very visible from the River Hamble. The two storey bulk of the proposed dwelling would already be greater than neighbouring properties measuring 25m in width compared to Hamble's Edge which is 19m, Fenmead which is 20m and Strawberry Hill which is 24m. Strawberry Hill would appear to be the most similar property in terms of bulk and design but it is notable that this property has only a single storey addition to the southern side with detached garage blocks sitting to the front of the property on either side and there is a large gap in excess of 13m between the dwelling and the northern boundary.

It is considered that the expansion of the proposed dwelling across the majority of the plot would not be visually acceptable. The bulk of the dwelling would be out of scale with the neighbouring properties and the resultant dwelling would be an intrusive and imposing feature within views from the River Hamble and the adjacent public footpath to the detriment of the character and appearance of the surrounding area. In addition, it is considered that the amendments to the design and appearance of the dwelling, particularly the roof, which results in a raised eaves height and the introduction of a parapet wall and extended area of flat roof, give the dwelling a more ostentatious appearance resulting in an imposing and obtrusive building which would stand out from the neighbouring properties and detract from the surrounding landscape. This would be apparent from both Thornton Avenue and from the rear.

As a result Officers are of the view that the proposal would fail to respond positively to and be respectful of the key characteristics of the area and would harm its established character and appearance contrary to Policies CS14 & CS17.

c) Landscaping

As previously stated, whilst planning permission has been granted for a replacement dwelling on this site a landscaping scheme is yet to be agreed which would currently prevent development from proceeding beyond damp proof course level. Members were not satisfied with the level of boundary planting proposed along the boundaries of the site on the scheme refused in 2017 (P/16/1415/DP/A).

The number of trees indicated on the landscaping scheme submitted with the current application remains the same as on the refused scheme. This includes a total of twenty-nine native trees including six Field Maple, one Birch, one Hornbeam, one Hawthorn, one Beech, six Sweet Gum, three Bird Cherry, four Blackthorn, three Oak and three Whitebeam. Six of those trees would be planted with an initial girth of 18-20cm which gives an approx. initial height of 5 metres. Nineteen of the trees would be planted with a girth of 10-12cm which gives an approx. height of 3-3.5 metres.

Additional shrub planting and native hedgerows have been incorporated closer towards the river so that boundary planting along the north and south boundaries would be continuous for the entire length of the rear garden. Whilst vegetation was removed from the application site prior to the planning process commencing the boundaries are not bare and there is significant planting within the boundaries of the adjacent properties.

The proposed landscaping scheme is intended to soften the visual appearance of the dwelling, particularly those oblique views from the riverside, and enhance its setting and the contribution such landscaping makes to the overall character and appearance of the area. It is not intended that the planting would screen the replacement from view entirely. Officers are of the view the comprehensive landscaping scheme would reinforce the existing vegetation to provide an attractive and verdant setting for the proposed dwelling. Notwithstanding, the landscaping of the plot would not in itself mitigate the visual harm of the proposed dwelling as described in the preceding section of this report.

d) Site Levels & Rain Water Harvesting System

The applicant has implemented the permission granted under reference P/16/1415/FP meaning ground works have commenced along with the construction up to damp proof course level of the two detached garages.

As a result of the commencement of ground works a large raised base of crushed concrete has been created located approximately where the permitted and proposed dwellings would stand but extending closer to the boundary with Hamble's Edge. The applicant has advised that this level base is required for the operation of the piling rig that would be used in the construction of the dwelling. The base that has been constructed is not indicative of the proposed finished floor or ground levels which are explained further below.

The finished floor level of the dwelling permitted last year under reference P/16/1415/FP would be 8.6m above ordnance datum (AOD) at the rear. The finished floor level of the proposed dwelling would be only very marginally higher at 8.65m AOD at the rear with the wings stepping down to 7.75m AOD. Topographical survey plans show that before the site was cleared the level paved area previously surrounding the swimming pool that stood close to the boundary with Hamble's Edge was approx. 8.00m AOD. The crushed concrete table described above as being required for the piling rig is currently approx. 9.0m AOD. Therefore whilst the crushed concrete base may appear to have raised ground levels close to the boundary with Hamble's Edge the finished floor level of the proposed dwelling at its southerly edge (7.75m AOD) would be below that of the patio that was previously in this position (8.00m AOD).

A rainwater harvesting system has been installed at the site and local residents have raised concerns regarding this and subsequent alterations to ground levels. The applicant has been advised that due to the nature of the system involving water tanks and associated changes to the levels of the site, planning permission should have been specifically sought for this. As a result the applicant has included details of this system and proposed finished land levels around the water tanks with this application. The system would collect rain water run-off from the roof of the dwelling and garages and store it within the six underground tanks to the rear of the dwelling. An irrigation system would then be used to water the rear lawn. There are no concerns regarding this system from a planning perspective.

The underground tanks are arranged in a linear arrangement across the width of the plot sitting approx. 18m from the rear of the proposed dwelling. The tanks are in two groups of three with three positioned closer to the northern boundary with Fenmead and three positioned closer to the southern boundary with Hamble's Edge. The associated changes to the levels of the rear garden as a result of the installation of the tanks are negligible adjacent to Fenmead. On the southern side of the plot the alterations are more noticeable as a more level terrace has been formed in the vicinity of the tanks. Consequently the land has been regraded and the levels slope back down towards the boundary with Hamble's Edge to maintain existing levels at the boundary.

A comparison of spot heights between the original site levels and the current land levels

indicate that the ground levels have been altered by up to as much as 1m in close proximity to the tanks although not within 5 metres of the boundary. There is currently vegetation on the boundary which provides some screening and the slope down to the boundary with Hamble's Edge is also proposed to be heavily planted. Subsequently officers do not consider that the alterations to the ground levels around the tanks would result in a detrimental loss of privacy to Hamble's Edge. The rear garden of the proposed dwelling would be gently sloping down from the raised terrace on the rear of the property towards the Hamble with original levels beyond the water tanks remaining unaltered. The raised terrace itself would not be significantly higher than the original levels in this region of the site.

Officers consider that these proposed site levels would not have any unacceptable planning implications.

e) Living Conditions of Neighbouring Residential Properties

In light of the separation distances between the neighbouring properties and the proposed dwelling it is not considered that the proposal would have a material detrimental impact on the living conditions of the occupants of the neighbouring properties in terms of loss of light or outlook. There are no habitable rooms within the side elevations of the neighbouring properties which would be adversely affected.

There are no first floor windows proposed within the side elevations of the proposed dwelling which would face towards the neighbouring properties. Any windows installed at first floor level at a future date would need to be obscure glazed and fixed shut to 1.7m to prevent overlooking. The proposed dwelling would not project significantly further to the front or rear of the neighbouring properties and the first floor rear balconies would be recessed to prevent overlooking.

The proposed siting of the detached garage on the frontage of the dwelling adjacent to the boundary of Hamble's Edge and 2 metres from its associated annexe has previously been considered. The impact on the living conditions of the occupant(s) of the annexe was not considered to be materially harmful and the siting and design of the garage remains as previously permitted. A laurel hedge is proposed to be planted between the two structures.

As referred to above, Officers are satisfied that the proposed changes to the levels on the site would not lead to any adverse overlooking of adjacent properties that would be harmful to the privacy of neighbours.

f) Ecology

The applicant has provided an extended Phase 1 Ecological Assessment in support of the application. The habitats on site were found to provide limited suitability for foraging and commuting bat species. No evidence of the presence of other protected species of flora or fauna were noted. The proposed landscaping of the site is stated as being an opportunity to enhance biodiversity of the site. Taking into account the advice received from Hampshire County Council ecology group Officers consider that there would be no basis to withhold consent on ecological grounds subject to a number of related conditions being imposed on any permission granted.

Under Regulations 61 and 62 of the Habitats Regulations there is a requirement for the Local Planning Authority to consider the impacts of the proposal on the European designated site and to undertake a Habitats Regulations Assessment. It is concluded that whilst the proposal is not necessary for the management of the European site the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment. It is considered that the application

sufficiently demonstrates that the adjacent designated site would be protected in accordance with Policy DSP13 (Nature Conservation) of the adopted Fareham Borough Local Plan Part 2.

g) Highways

The site makes ample provision for on-site car parking in accordance with the Council's Residential Car & Cycle Parking SPD. Whilst there would be a large area of hard-surfacing to the front of the dwelling this is commensurate to the dwelling itself and would be finished with permeable block paving to prevent excessive run-off. The re-location of the access to the property is considered acceptable and would have no adverse impact on highway safety. The access gates to the dwelling have been positioned to ensure that there would be 5m between the gates and the edge of the highway to enable a vehicle to pull off the road and the visibility splay requested by the Council's Highways Engineer has been demonstrated. There are no highways concerns.

h) Japanese Knotweed

Concerns have been raised regarding the presence of Japanese Knotweed on the application site. Japanese Knotweed is a non-native invasive species of plant which has previously been found to be present on the application site and also on adjacent land although it is not known from where this originated. A site management plan was submitted with the previous approved planning application which detailed how it was intended to eradicate Japanese Knotweed from the site. This work has now been carried out and verified and membranes have been installed at the boundaries to reduce the potential for recontamination from neighbouring properties. The owners of neighbouring properties would need to arrange for the treatment of Japanese Knotweed on their own land if this continues to be an issue.

i) Conclusion

In conclusion, whilst the principle of a replacement dwelling on this site is already established, Officers consider that the proposal would have an unacceptable impact on the character and appearance of the area. The design of the dwelling would fail to respect or respond positively to the neighbouring properties and the proposed dwelling would be a conspicuous and obtrusive structure that would detract from the landscape character of the coastline particularly when viewed from the River but also from Brook Avenue.

Notwithstanding the concerns raised by neighbours, Officers do not consider there to be other reasons for refusal, for example on the grounds of impact on neighbor amenity, ecology or Japanese Knotweed.

Recommendation

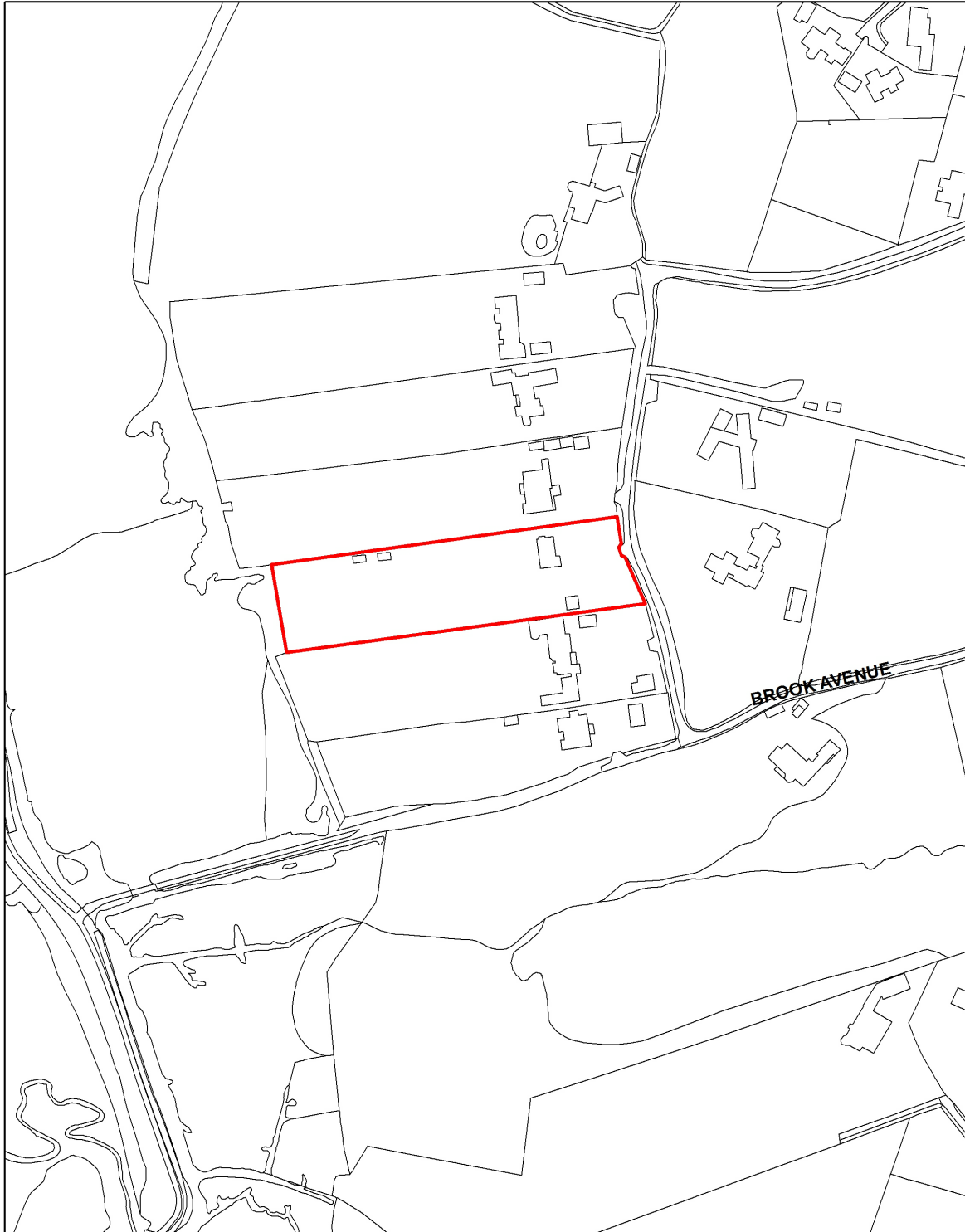
REFUSE;

The proposed development is contrary to Policies CS14 and CS17 of the adopted Fareham Borough Core Strategy and Policy DSP6 of the Fareham Borough Local Plan Part 2: Development Sites and Policies and is unacceptable in that by virtue of the height, design, width, resultant bulk and proximity of the proposed dwelling to the site boundaries the proposal would fail to respond positively to and be respectful of the key characteristics of the area including its landscape, scale, form and spaciousness. The proposal would therefore be detrimental to the character of the area when viewed from the River Hamble, the opposite side of the river, the public footpath on the eastern side of the river and Brook Avenue.

Background Papers

FAREHAM

BOROUGH COUNCIL



Drift House
Brook Avenue
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. 2018