

P/17/1514/FP

MRS ANITA BARNEY

SARISBURY

AGENT: GREEN PLANNING
STUDIO LTD

1 NO. FOUR BEDROOM DETACHED DWELLING AND GARAGE

LAND TO THE REAR OF 77 BURRIDGE ROAD BURRIDGE SOUTHAMPTON SO31 1BY

Report By

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Introduction

The application is reported to the Planning Committee as five representations have been received both in support and objecting to the scheme.

Site Description

The application site is located within the defined countryside, and is not located close to or adjacent to the existing defined urban area. The site, located on the southern side of Burrridge Road, is proposed to be accessed via an existing gypsy site at 77 Burrridge Road, making use of the existing access driveway. To the southeast of the site lies an existing two storey dwelling (75 Burrridge Road), and an open meadow to the northwest, separated by a timber post and rail fence. This part of Burrridge Road narrows to a single track, metalled road serving several properties. To the north of the site lies the existing gypsy pitch at 77 Burrridge Road, and beyond open fields. To the southwest of the site lies a further area of the meadow, and a residential property (93 Burrridge Road) beyond. The meadow areas around the site, and the site itself are designated a Site of Importance for Nature Conservation (SINC)

Burrridge Road connects to Botley Road (A3051), which is a heavily trafficked road, linking Locks Heath, Park Gate and Segensworth to Botley and Hedge End. Burrridge contains limited services and facilities, with Swanwick Station located almost 2.5km away (to the south), and Whiteley Shopping Centre located 2km away (to the east).

Description of Proposal

This application seeks planning permission for the construction of 1no. large, four bedroom detached dwelling and detached double garage on the undeveloped land to the rear of 77 Burrridge Road.

The proposed dwelling would comprise separate kitchen, living, dining, family room and utility room at ground floor level, with four large, en-suite double bedrooms at first floor level. The property has been sited to line up behind the existing single storey mobile home and day room on the adjacent gypsy pitch, but the overall height of the house and garage would be clearly visible above these structures.

The dwelling would be set back from Burrridge Road by approximately 57m, and would include a 16m long private garden area. Access to the property would be via the existing access point serving 77 Burrridge Road, with a separate gated access provided between the two properties. Adequate space would be provided on the site for the parking of 3no. vehicles.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS6 - The Development Strategy

CS9 - Development in Western Wards and Whiteley

CS14 - Development Outside Settlements

CS17 - High Quality Design

Approved SPG/SPD

RCPSPG - Residential Car Parking Guide (replaced 11/2009)

Design Guidance Supplementary Planning Document (Dec 2015)

EXD - Fareham Borough Design Guidance Supplementary Planning Document

Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

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

DSP40 - Housing Allocations

Relevant Planning History

The following planning history is relevant:

P/12/0778/CU

THE USE OF LAND FOR THE STATIONING OF CARAVANS FOR RESIDENTIAL PURPOSES FOR 1 NO GYPSY PITCH TOGETHER WITH THE FORMATION OF ADDITIONAL HARD STANDING AND UTILITY/DAYROOM ANCILLARY TO THAT USE

REFUSE 22/02/2013

APPEAL: ALLOWED 05/09/2013

P/11/1063/CU

CHANGE OF USE OF AGRICULTURAL LAND TO PRIVATE GYPSY SITE FOR ONE FAMILY, SITING OF ONE MOBILE HOME AND A TOURING CARAVAN

REFUSE 03/05/2012

APPEAL: DISMISSED 05/09/2013

Representations

5no. letters have been received regarding this application. 3no. respondents have objected to the proposed development, and 2no. respondents have raised no objection/supported the scheme. The key matters of concern raised were:

- Development in the countryside would set a precedent;
- Lack of infrastructure in Burrridge;
- Backland development out of keeping with the character of the area;
- Additional traffic generated would increase highway safety concerns;
- Further urbanisation of the area.

The letters of support raised the following comments:

- Detached dwelling would be in keeping with the locality;
- Backland development accepted at 21 Burr ridge Road.

Consultations

INTERNAL

Environmental Health (Contaminated Land): No objection raised.

EXTERNAL

HCC Ecology: Objection to the scheme due to the potential impact on the SINC, and contravention to Policies DSP13 and CS4. Insufficient information provided to demonstrate appropriate mitigation. Concern raised regarding impact on potential protected species on the site.

Habitat Mitigation with regard to the Solent Special Protection Area would also be required.

Planning Considerations - Key Issues

The following matters represent the key material planning considerations which would need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- Principle of the development;
- Effect upon the character of the area;
- Impact on living conditions to neighbouring occupiers;
- Highway Safety;
- Ecology; and,
- The planning balance.

Principle of the development:

The site is located outside and away from the defined urban area, with the Whiteley Urban Settlement Boundary being located almost 680m to the east of the site.

Policy CS2 of the Adopted Core Strategy highlights that priority should be given to the reuse of previously developed land within the urban area.

Policy CS14 highlights what forms of development in the countryside would be acceptable, and include that essential for agriculture, forestry, horticulture and required infrastructure.

Policy DSP6 of the Adopted Part 2: Development Site (New Residential Development Outside of the Defined Urban Settlement Boundaries) states:

There will be a presumption against new residential development outside of the defined urban settlement boundaries (as identified on the Policies Map). New residential development will be permitted in instances where one or more of the following apply:

- i. It has been demonstrated that there is an essential need for a rural worker to live permanently at or near his/her place of work; or
- ii. It involves a conversion of an existing non-residential building where;

- a) the buildings proposed for conversion are of permanent and substantial construction and do not require major or complete reconstruction; and
- b) evidence has been provided to demonstrate that no other suitable alternative uses can

be found and conversion would lead to an enhancement to the building's immediate setting.

iii. It comprises one or two new dwellings which infill an existing and continuous built-up residential frontage, where:

- a) The new dwellings and plots are consistent in terms of size and character to the adjoining properties and would not harm the character of the area; and
- b) It does not result in the extension of an existing frontage or the consolidation of an isolated group of dwellings; and
- c) It does not involve the siting of dwellings at the rear of the new or existing dwellings.

The planning proposal involves residential development outside of the defined urban area which does not have an overriding need for a countryside location. The application is therefore contrary to policies CS2 and CS14 of the adopted Core Strategy.

Turning to Policy DSP6, criteria i) and ii) do not relate to this application. With respect to criteria iii), the proposal does not comprise infilling within a continuous built-up frontage. The application represents the siting of a new dwelling at the rear of an existing property which is contrary to Policy DSP6.

The principle of residential development at the site is therefore contrary to policies CS2 and CS14 of the adopted Core Strategy and Policy DSP6 of Local Plan Part 2.

The current lack of a five-year supply of deliverable housing sites following the Appeal decision at Cranleigh Road, Portchester is a material consideration in this application. Paragraphs 14, 47 and 49 of the National Planning Policy Framework (NPPF) 2012 highlight that there is a presumption in favour of sustainable development and in the absence of relevant policies, or when such policies are out-of-date in the Development Plan, planning permission should be granted.

Policy DSP40 of the Local Plan highlights that where the Council does not have a five year supply of land for housing additional housing sites, outside the urban area boundary, may be permitted where they meet five criteria, each considered in turn below:

i. The proposal is relative in scale to the demonstrated five year housing land supply shortfall;

The application proposes the erection of only 1no. self-build dwelling; the current shortfall is in the region of 660 dwellings. Officers are satisfied that bullet point (i) of DSP40 is satisfied.

ii. The proposal is sustainably located adjacent to, and well related to, the existing urban settlement boundaries, and can be well integrated with the neighbouring settlement;

The site does not lie adjacent to, nor is it well related to an existing urban settlement boundary. There are very limited services and facilities within BurrIDGE, meaning most residents are required to access local services and facilities, such as doctors, shops, cafes, schools, and employment by private vehicles. The proposal is considered to be contrary to Policy DSP40 (ii).

iii. The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;

The design and integration into the area is discussed in greater detail below.

iv. It can be demonstrated that the proposal is deliverable in the short term;

It is anticipated that should permission be granted that the site could be deliverable in the short term.

v. The proposal would not have any unacceptable environmental, amenity or traffic implications.

The impact on the environment, amenity and matters of highway safety are outlined in greater detail below.

Effect upon the character of the area:

The site is located within part of a wider largely undeveloped meadow, highlighted as a Site of Importance for Nature Conservation. Burrridge Road is largely characterised by a ribbon of frontage residential development surrounded by open, undeveloped countryside. The western end of Burrridge Road has a clearly more rural character, with the road narrowing to a single track, bounded by hedgerow and trees. The more semi-urban character of Burrridge Road diminishes at this point, with only one large, detached property visible from this part of Burrridge Road. The provision of a large detached two storey building, despite being set back from the road, would further erode this character

Policy CS17 of the adopted Core Strategy requires proposals to 'respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form spaciousness and use of external materials.'

In the opinion of Officers, and despite the provision of a gypsy pitch at the frontage of the site, which includes two small scale structures, the prevailing character of this part of Burrridge Road is of open, undeveloped countryside, with only a few sporadic houses on the lanes branching off Burrridge Road.

The substantial scale of the proposed dwelling and the large double garage, whilst set back into the site, and with the associated additional activity created by such structures, is considered to be harmful to the key characteristics of this part of Burrridge Road which is a rural lane with limited properties beyond 50 Burrridge Road (on the north side of the road) and 75 Burrridge Road (on the south side of the Road).

Further the introduction of a new permanent dwelling as a backland property would be incongruous with the prevailing frontage development along Burrridge Road. It is acknowledged that there is other backland development along the road, although this largely relates to ancillary structures associated with the main use of the site as a single dwelling. Most of the frontage properties along Burrridge Road benefit from long, largely undeveloped rear gardens, opening up to the open countryside beyond.

The proposal is therefore considered contrary to Policy CS17 of the adopted Core Strategy and criteria (iii) and (v) of DSP40.

Impact on Living Conditions:

The application proposes a two storey, detached property, providing four large double en-suite bedrooms at first floor level. The property has been sited to be 22m away from the rear elevation of the existing mobile home at 77 Burrridge Road, which complies with the minimum standards set out in the Adopted Design Guidance.

The proposed dwelling would make use of the existing gated access to the gypsy pitch,

passing directly next to two large picture windows on the mobile home. Given the relative proximity of the proposed access driveway serving the proposed dwelling to the two large windows serving the main living room of the mobile home, it is considered to result in an unacceptable relationship, which due to the potential activity on the proposed site, could have an adverse impact on the living conditions of the occupiers of the mobile home. The proposal would therefore be contrary to Policy DSP3 of the Local Plan.

Highway Safety

The application would result in the provision of a single new dwelling accessing Botley Road from Burrige Road. Burrige Road is a long and well established street, providing access onto Botley Road for a number of residential properties. The existing access arrangements onto Botley Road are suitable for the requirements of this road, and the provision of an additional dwelling on this road would not be likely to significantly increase the impact on highway safety on the area.

Adequate on site car parking is provided to accord with the Council's Residential Car Parking Standards.

Ecology

The application has been supported by a Preliminary Ecological Survey. The application has however resulted in an objection from the County Ecologist. The site is located within a designated Site of Importance for Nature Conservation (SINC), and therefore any development could result in harm to the biodiversity of the site, without appropriate mitigation.

The SINC comprises an area of diverse 'semi-improved' marshy grassland with a fair herb presence and underlying frequency of species typical of semi-improved marshy grassland.

Having regard to the policy provision, and the concerns raised regarding the loss of habitat and the inappropriate mitigation measures recommended in the Survey, it is not possible to adequately assess the level of impact on the SINC, for which it is considered that the provision of a single dwelling would not outweigh the potential harm. In addition, the County Ecologist has also raised concerns regarding the potential impact on Great Crested Newts given conditions of the site, and the proximity of the Swanwick Nature Reserve SINC 50 metres away to the south of the site. Additional survey work would be required to adequately assess the level of impact on these protected species.

As such, based on the information provided, the proposal is currently contrary to the provisions of Policies CS4 and DSP13 of the Local Plan.

The Solent coastline provides feeding grounds for internationally protected populations of overwintering birds and is used extensively for recreation. Natural England has concluded that the likelihood of a significant effect in combination arising from new housing around the Solent cannot be ruled out. Applications for residential development within the Borough therefore need to propose measures to mitigate the direct impacts of their development on the Solent SPA. This can be done by the provision of a financial contribution of £181.00 per dwelling. No contribution has been made in respect of this proposal, and therefore the proposal fails to comply with Policy DSP15 of the Local Plan.

The planning balance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications.

"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".

Paragraph 14 of the NPPF clarifies the presumption in favour of sustainable development in that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies indicate development should be restricted (for example, policies relating to sites protected under the Birds and Habitats Directive and/or Sites of Special Scientific Interest; Green Belt, Local Green Spaces, Areas of Outstanding Natural Beauty, Heritage Coast and National Parks; designated heritage assets; and locations at risk of flooding or coastal erosion).

The approach detailed within the preceding paragraph, has become known as the "tilted balance" in that it tilts the planning balance in favour of sustainable development and against the Development Plan.

The site is outside of the defined urban settlement boundary and the proposal does not relate to agriculture, forestry, horticulture and required infrastructure. The principle of the proposed development of the site would be contrary to Policies CS2, CS6 and CS14 of the Core Strategy and Policy DSP6 of Local Plan Part 2: Development Sites and Policies Plan.

Officers have carefully assessed the proposals against Policy DSP40: Housing Allocations which is engaged as this Council cannot demonstrate a 5YHLS against objectively assessed housing need. Officers consider that the proposal is contrary to Policy DSP40 (ii), (iii) and (v).

The introduction of a dwelling and garage building at this site is further judged by Officers to harm the character of this rural area contrary to policies CS14 and CS17.

Given the very limited contribution the proposal would make to addressing the Council's shortfall in housing together with the site's location poorly integrated with the existing urban area, the harm which would arise to the character of the area, and the potential, unknown impact on the SINC and Solent Special Protection Area, the harm identified would significantly and demonstrably outweigh the benefits of granting planning permission.

The application is therefore recommended for refusal.

Recommendation

REFUSE

Reason

The development would be contrary to Policies CS2, CS4, CS6, and CS14 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP1, DSP6, DSP13, DSP15 and DSP40 of the Adopted Local Plan Part 2: Development Sites and Policies Plan and, the National Planning Policy Framework 2012 (particularly paragraphs 6, 14, and 55) and is unacceptable in that:

- a) the provision of a dwelling in this location would be contrary to adopted Local Plan policies which seek to prevent additional residential development in the countryside which does not require a countryside location;

b) the introduction of a dwelling in this location would fail to respond positively to and be respectful of the key characteristics of the area, particularly its predominantly undeveloped nature, which would be out of character with the prevailing pattern of development in the area;

c) the site lies within a Site of Importance for Nature Conservation, for which insufficient evidence has been provided to adequately highlight the level of harm to the biodiversity and protected species on the site. Inappropriate mitigation measures would not address the current designation requirements;

d) in the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas.

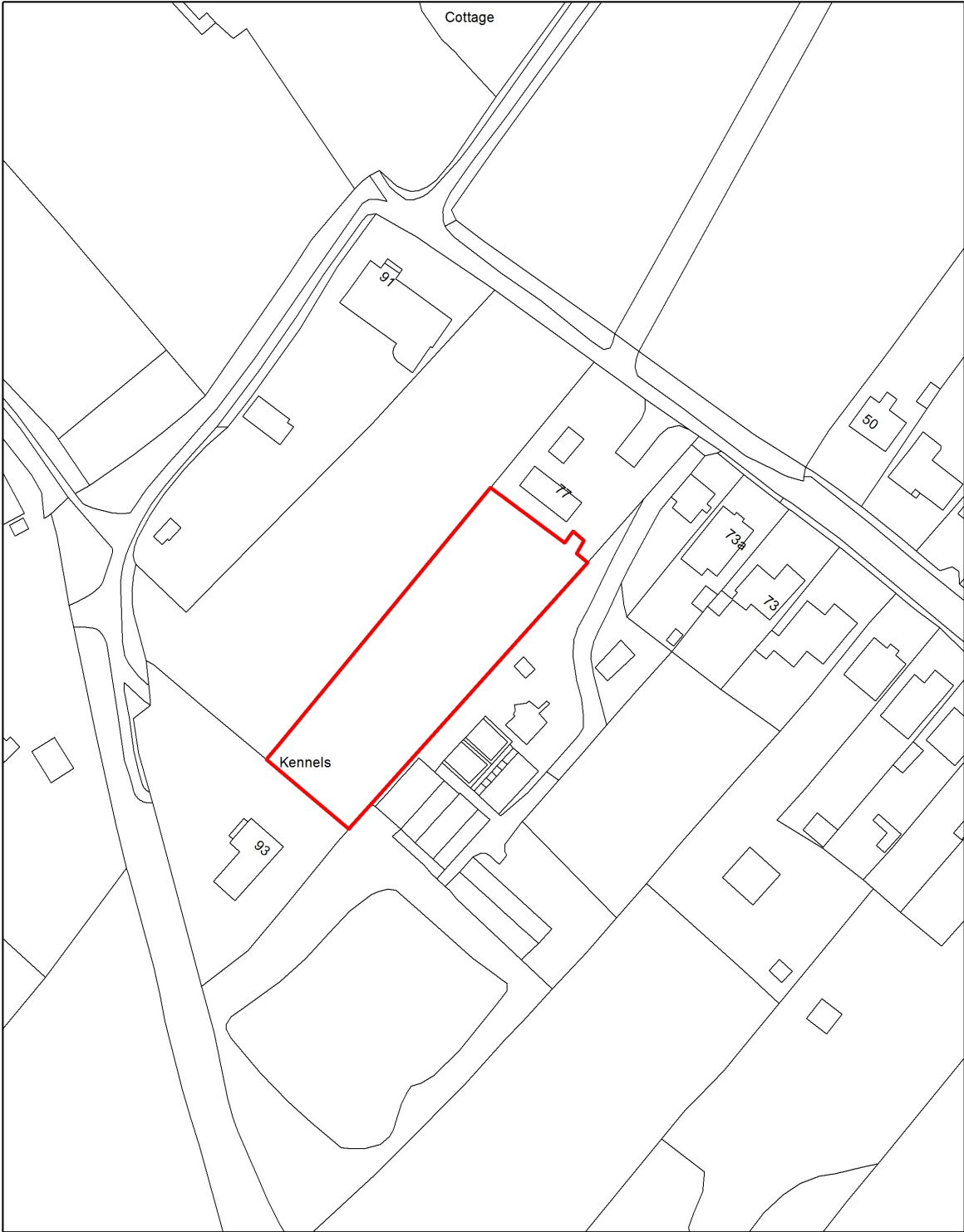
Informative:

a) This decision relates to the following plans:

- i. Location Plan (Drawing: 12_499B_001);
- ii. Existing Site (Drawing: 12_499B_002);
- iii. Proposed Site (Drawing: 12_499B_003);
- iv. Dwelling (Drawing: 12_499B_005); and,
- v. Garage (Drawing: 12_499B_006).

FAREHAM

BOROUGH COUNCIL



Land to the rear of 77 Burridge Road
Scale: 1:1,250



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