

P/13/0742/OA

MR & MRS BARRY & LINDA
BIDWELL

ERECTION OF DETACHED DWELLING (OUTLINE APPLICATION)

33 LOWER DUNCAN ROAD PARK GATE SOUTHAMPTON SO31 1BE

PARK GATE

AGENT: MR & MRS BARRY &
LINDA BIDWELL

Report By

Richard Wright x2356

Site Description

The application site comprises a piece of land within the urban area forming the side garden of 33 Lower Duncan Road. The land is located to the north eastern side of the existing two storey detached dwelling and on it currently is a large double garage outbuilding and a further shed. Vehicular access to the site from the road is currently afforded by a pair of gates in the north eastern boundary.

The garages and parking areas for 8 & 10 Collingworth Rise abut the north western site boundary whilst Lower Duncan Road runs adjacent to the north eastern and south eastern boundaries. The application site is mainly level however it is approximately 1.5 metres higher than the adjacent road side at the south eastern boundary. Within the application site close to that south eastern boundary lie two protected mature oak trees.

Description of Proposal

Outline planning permission is sought for the erection of a detached dwelling with all matters reserved.

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

Approved SPG/SPD

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

Fareham Borough Local Plan Review

DG4 - Site Characteristics

Relevant Planning History

The following planning history is relevant:

<u>P/11/1082/OA</u>	ERECTION OF DETACHED DWELLING REFUSE 14/09/2012
<u>P/07/0930/RM</u>	ERECTION OF DETACHED DWELLING (DETAILS PURSUANT TO OUTLINE PLANNING PERMISSION P/04/1107/OA) APPROVE 07/09/2007
<u>P/04/1107/OA</u>	Erection of Detached Dwelling (Outline Application) OUTLINE PERM 13/09/2004

Representations

Three comments have been received objecting to the application on the following grounds:

- In the absence of financial contributions there would be greater pressure on open space provision and existing highway infrastructure
- Loss of privacy to neighbouring properties to north-east
- Loss of sunlight/daylight
- Adverse effect on character of the area
- Lack of plans/details of access
- Increase in size/scale of development proposed
- Contractors parking/working hours
- Concern over protected trees on site

Consultations

Director of Planning & Environment (Highways) - There is no 'in principle' highway objection to the application subject to a suitably graded access being obtained from the northern stub of Lower Duncan Road and to parking being provided in accordance with the Residential Parking SPD.

Director of Planning & Environment (Arborist) - In broad terms the proposed layout appears to be viable for one dwelling in relation to the existing TPO oaks - further detailed information will be required with any full submission.

Director of Regulatory & Democratic Services (Environmental Health) - No adverse comments.

Director of Regulatory & Democratic Services (Contaminated Land) - Recommend approval subject to condition regarding the cessation of works should any unexpected ground conditions or materials suggesting contamination be encountered.

Planning Considerations - Key Issues

a) Planning history

Outline planning permission was previously granted for an almost identical proposal in September 2004 (reference P/04/1107/OA), the only difference being that application proposed a means of access to serve the new dwelling. A further submission of the reserved matters was approved in September 2007 (P/07/0930/RM). The approved dwelling was a three storey building with the lower storey providing an undercroft garage. The permission for this development has since lapsed.

Outline planning permission was sought once more in 2011 (reference P/11/1082/OA). Members may recall that it was resolved at the planning committee meeting held on 28th March 2012 to grant outline permission subject to the completion of the necessary section

106 legal agreements in relation to financial contributions towards off-site public open space and highway improvements.

In the event the legal agreement was not entered into within the agreed timescale planning permission was to be refused. The section 106 failed to be completed by the agreed date and subsequently the application was refused.

This current proposal before members is identical to the previous submission in 2011. Since the submission is in outline form the information submitted comprises only a location plan, a block plan, a completed application form and a Design & Access Statement.

Members will be aware that the Council adopted the Community Infrastructure Levy (CIL) on 1st May this year. The effect of the introduction of the levy is to replace the previous requirement for applicants to enter into legal agreements in order to secure financial contributions. The previous reasons for refusal have therefore been addressed by virtue of the introduction of CIL and the applicant's liability under the adopted charging schedule to pay a charge once the development has commenced.

b) Principle of development and effect on character of surrounding area

Policies CS2 (Housing Provision) and CS6 (The Development Strategy) of the adopted Fareham Borough Core Strategy place a priority on reusing previously developed land within the defined urban settlement boundaries to achieve the Borough's housing target of 3,729 dwellings by the year 2026. The National Planning Policy Framework (NPPF) excludes private residential gardens from being defined as previously developed land but sets out that there should be a presumption in favour of sustainable development.

This application therefore falls to be considered on its individual merits taking into account the relevant policies of the development plan and any other material considerations. Policy CS17 (High Quality Design) of the Core Strategy is particularly relevant in that it expects development 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".

Lower Duncan Road and the immediate surrounding area is characterised as a predominantly residential area with mainly detached housing in a variety of architectural styles. The application site is understood to form part of the residential curtilage of 33 Lower Duncan Road. The subdivision of this curtilage to form a new residential unit on the application site would result in two plots which would compare favourably with the surrounding area, in keeping with the prevailing pattern of development in the neighbourhood. In principle therefore, Officers are satisfied that the formation of a new detached dwelling on this plot would relate well to the character of the surrounding streetscene.

This is an outline application with 'all matters reserved' and therefore details of the scale, layout and appearance of the new dwelling would need to be submitted to the Council for approval at a later date. Details of the means of access and landscaping of the site would also need to be submitted at that stage.

c) Effect on living conditions of neighbours

The scale, layout and appearance of the dwelling are all reserved matters to be considered at a later date. The proposed height and massing of the dwelling is therefore still to be

proposed. Notwithstanding, Officers are comfortable with the principle of granting outline permission for this development. There is no reason to suggest that the site's proximity to and relationship with neighbouring properties would mean that it would not be possible to achieve an acceptable design respectful of the privacy of neighbours and the light and outlook they enjoy in their homes. A scheme of reserved matters submitted in 2007 was found to be acceptable in this respect, and all others, and permission was granted.

d) Impact on two protected oak trees

The two oak trees on the south eastern edge of the site are covered by a tree preservation order (FTPO 532). Officers are satisfied that a dwelling could be constructed on the site without harming either of the trees subject to the submission of arboricultural assessment details as part of any subsequent reserved matters application.

Recommendation

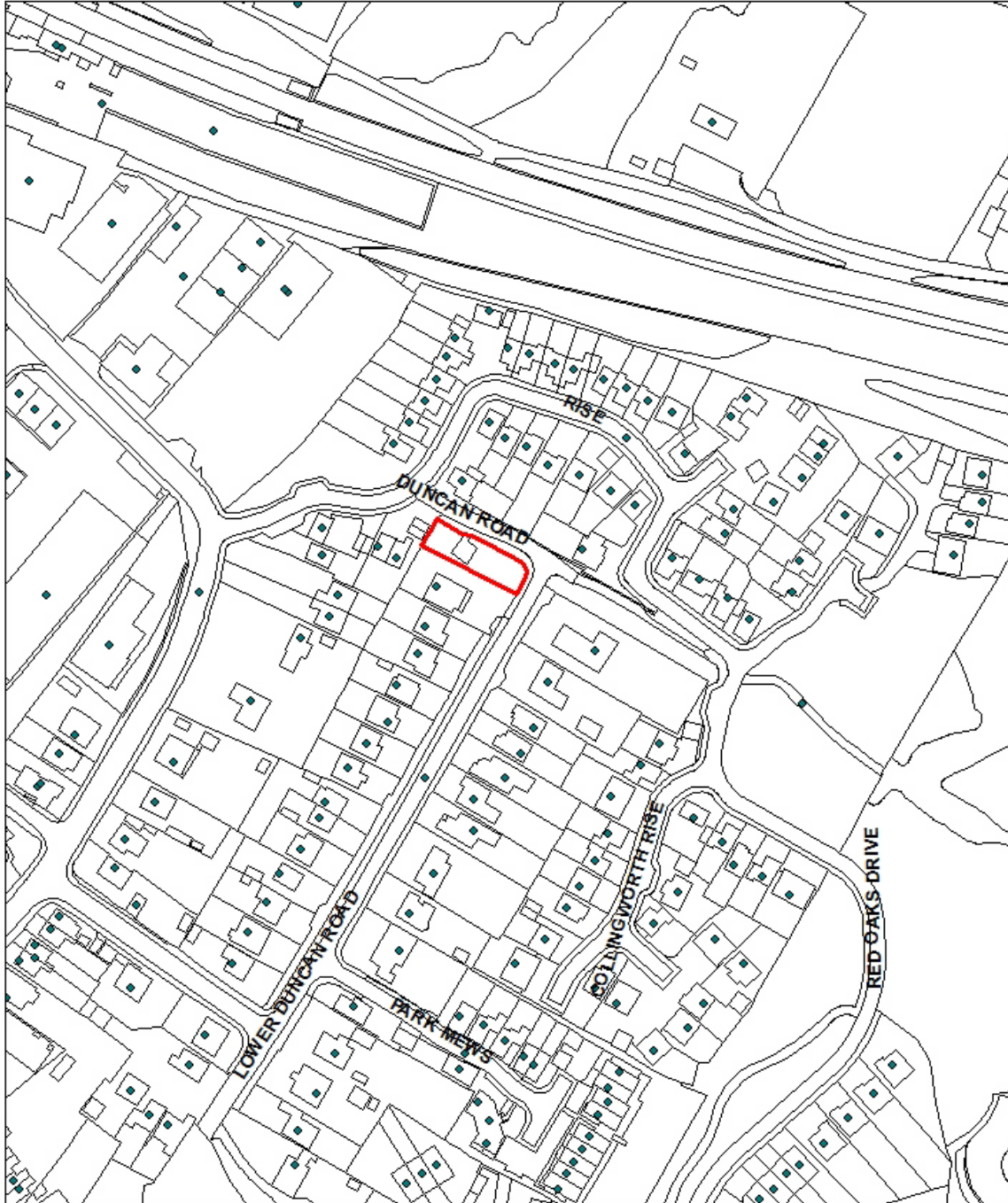
PERMISSION: submission of reserved matters (access, siting, design, external appearance of building, landscaping); withdraw PD rights for windows in NE & SW elevations; external material samples; hardsurfaced areas; boundary treatment; internal finished levels of dwelling; tree survey and arboricultural method statement; parking and turning areas; cycle parking; landscaping; landscaping implementation; Code for Sustainable Homes Level 4; land contamination; mud on highway; hours of construction; no burning on site; operatives parking/materials storage.

Background Papers

P/13/0742/OA

FAREHAM

BOROUGH COUNCIL



33 LOWER DUNCAN ROAD
SCALE: 1:1,250

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