

DELEGATED OFFICER REPORT

Site Address:	54 Hart Plain Avenue, Waterloooville, PO8 8RX		
Proposal:	1No 3 bed chalet bungalow.		
Application Type:	Full Planning Permission		
Application No:	APP/24/00648	Expiry Date:	10/02/2025
Applicant:	Mrs Louise Duff		
Agent:	Mr D P Manns	Case Officer:	Lesley Wells
	D M Designs		
Ward:	Hart Plain		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 54 Hart Plain Avenue is a detached two storey dwelling on the north side of the Avenue. Vehicular access is from Hart Plain Avenue. The general pattern of development in the immediate vicinity is that of deep plots , but this has been altered over time with the creation of cul-de-sacs, redevelopment of a site at a higher density and backland development at intervals along Hart Plain Avenue.
- 1.2 The site is subject to Tree Preservation Order 1357, with protected trees located along the eastern boundary and to the rear of the site.
- 1.3 The proposed dwelling and access would be sited wholly within Flood Zone 1 and based on current information would remain so with future climate change. National Guidance states that Flood Zone 1 is suitable for all types of development.

2 Planning History

01/63569/005 - Demolition of existing dwelling and construction of replacement 4 bedroom detached dwelling with detached single garage to rear (adjacent eastern boundary) utilising existing access to Hart Plain Avenue (revised details)., PERM,06/12/2001

01/63569/004 - Crown raise up to 4.5m a Horse Chestnut tree (T16). Crown raise up to 4.5m and removal of two small limbs at 5m of a Horse Chestnut tree (T17). Both trees are within 54 Hart Plain Avenue and subject to TPO 1357., PERM,03/05/2001

00/63569/003 - Outline application for the demolition of existing dwellinghouse and the construction of 3 detached dwellinghouses with new access onto Hart Plain Avenue., WD,11/09/2000

00/63569/002 - Crown raise up to 3m two Horse Chestnut trees (T16 & T17). Crown reduce by 30% a

Poplar tree (T13). Remove lower branches to balance appearance three Oak trees (T10,T11 & T12). All six trees are subject to TPO 1357, PERM,23/03/2000

99/63569/001 - Demolition of existing dwelling house and construction of detached 5 bedroom dwelling house with 1 bedroom annex and double garage utilising existing access ont

o Hart Plain Avenue, REF,18/11/1999

98/63569/000 - Felling of Horse Chestnut tree (T18) covered by TPO 1357, PERM,06/01/1999

03/63569/006 - Demolition of existing dwelling and construction of detached 4 bedroom house with associated car parking utilising existing access to Hart Plain Avenue., WD,10/11/2003
 04/63569/007 - Crown thin and reduce by 20% a Horsechestnut (T17) of TPO 1357., PERM,10/03/2005
 06/63569/008 - Retrospective application with regard to the siting of a 4 bed detached dwelling., PERM,13/04/2006
 06/63569/009 - Application to crown thin by 15% and 20% crown reduction and the removal of largest branch nearest to the rear of the house of Horse Chestnut tree (T17) subject to TPO 1357. , PERM,31/08/2006
 APP/13/00848 - Crown thin 2No. Horse Chestnut Trees (T16 & T17) by 20% subject to TPO 1357., PERM,02/10/2013
 APP/14/00495 - Crown reduce by 2m 1No. Horse Chestnut (T17) subject to TPO 1357., PERM,26/06/2014
 APP/16/01196 - Fell 1No. Horse Chestnut (T17) subject to TPO 1357., PERM,14/12/2016

3 Proposal

- 3.1 The development is for a 3 bedroomed chalet bungalow located to the rear of the site, with dormers to the front and rear.
- 3.2 Three car parking spaces, cycle and bin provision would be provided to the front of the proposal, together with a vehicular turning area to enable vehicles to enter and leave the site in a forward gear.
- 3.3 The existing access to the site would be shared with 54 Hart Plain Avenue, with three car parking spaces also proposed for this dwelling. The driveway from the existing access would be extended along the eastern boundary to the proposed dwelling to the rear.
- 3.4 Existing ancillary buildings (including a garage to the side which has been demolished) would be demolished to the rear to facilitate the proposal.
- 3.5 An amended plan of the host dwelling shows the existing door from the utility room which opens out into the side driveway blocked off, together with an existing window from the kitchen area.

4 Policy Considerations

National Planning Policy Framework
 Havant Borough Council Borough Design Guide SPD December 2011
 Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan

N/A

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboricultural Office - No Objection

This application has a number of considerable off site tree constraints – that fall outside the control of the site owner / any future owners. In particular the Large Poplar is now in the latter stages of its life cycle and will require management accordingly.

Although I have some concerns regarding future occupancy with the proposed development and the impact on the trees I will raise no objection to this application on the proviso that we condition the following:

- Pre-construction detailed AMS
- On site supervision for operations close to trees
- Pre commencement site meeting with project Arb and HBC Arb

I would suggest that the following condition is attached should permission be given for this app.

The development hereby permitted shall only be carried out in accordance with the Arboricultural Impact Appraisal and Preliminary Arboricultural Method Statement (Submitted by Holt Arboriculture) and British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations).

With the additional aspects in partnership with Havant Borough Council Planning:

Pre construction detailed AMS

On site supervision for operations close to trees

Pre commencement site meeting with project Arb and HBC Arb

Reason: To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

Officer Comment. If permission is granted the above condition is recommended. (Conditions have been agreed with the applicant's agent.

Building Control - No Comment

Community Infrastructure Team - No Comment

Councillor Ann Briggs - No Comment

Councillor E Shimbart - Hart Plain - No Comment

Councillor James Blades - No Comment

Crime Prevention -Minor Apps - No Comment

Ecology - No Objection

The application is accompanied by a completed Biodiversity Net Gain Small Sites Metric (Leigh-Ann Barran - Consultant Ecologist on behalf of Gradwell Group, 26 November 2024). The Metric has been completed correctly and is acceptable.

The site is a large, mature garden and contains a variety of habitats including hard surfacing, grassland, scrub, trees and a small pond. The majority of habitats are of Low or Very Low distinctiveness. The detailed measures for post-development show a net loss of biodiversity comprising 0.91 units for habitats (a gain of -9.66%) and 0.02 hedgerow units (a gain of 3.92%). There is clearly a deficit of habitat and hedgerow units arising from the proposed development. The applicant cannot obtain the required BNG measures within the application site and must therefore pursue off-site measures, either through a habitat bank or an alternative off-site location over which the applicant has control. No details of any off-site option are provided. All off-site BNG measures must be secured through a legal agreement.

BNG measures must be secured for a minimum of 30 years. Details of how the proposed on-site habitat features are to be managed, maintained and secured for the required 30 years period can be provided within a completed Biodiversity Gain Plan – this is a mandatory part of BNG, to be provided post-permission.

If you are minded to grant permission, can I suggest that BNG measures are secured by condition. The deemed condition states that a Biodiversity Gain Plan be submitted to and approved by the local planning authority prior to the commencement of development.

Suggested wording is as follows:

A Biodiversity Gain Plan shall be submitted to, and approved in writing by the Local Planning Authority. The Plan shall be prepared in accordance with the Biodiversity Net Gain Small Sites Metric (Leigh-Ann Barran - Consultant Ecologist on behalf of Gradwell Group, 26 November 2024) and must include:

- i. information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat;*
- ii. the pre-development biodiversity value of the on-site habitat;*
- iii. the post-development biodiversity value of the on-site habitat;*
- iv. any registered off-site biodiversity gain allocated to the development and the value of that gain in relation to the development;*
- v. any biodiversity credits purchased for the development; and*
- vi. any such other matters as the Secretary of State may by regulations specify.*

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

- i. a non-technical summary;*
- ii. the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- iii. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*
- iv. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*
- v. the monitoring methodology and frequency in respect of the created or enhanced habitat.*

Notice in writing shall be given to the Council when the:

- i. HMMP has been implemented; and*
- ii. habitat creation and enhancement works as set out in the HMMP have been completed.*

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Officer Comment: *Self -built has been claimed, which is exempt from the requirements of BNG, as confirmed by the agent. Therefore, it would be inappropriate to impose the above condition, however desirable.*

Hampshire Highways - Comments

As the application is for a single dwelling, which proposes to share the existing dropped kerb facility with the existing property and therefore there is no change of vehicle access onto the highway, HCC's Highway Standing Advice should be referred to in the first instance. This can be viewed via the following link under the heading Consultation with the Highway Authority - <https://www.hants.gov.uk/transport/developers/consultation>

Nitrates Team - No Objection

I can confirm there is sufficient capacity in the Council's strategic mitigation scheme to accommodate the application proposals.

It should be noted that there is limited capacity remaining in the Council's mitigation scheme at Warblington Farm. There is alternative mitigation available from third party providers in order to avoid and mitigate the water quality impact arising out of the proposed development. The details of other schemes have been published on the Partnership for South Hampshire's website at:

<https://www.push.gov.uk/work/mitigation-schemes-available-to-developers/>

Officer comment: *the agent is aware of third-party providers of nitrate mitigation.*

Natural England - No Comment

Waste Services Manager - No Comment

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 7

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Previous application on neighbouring property refused - why is a similar project being considered.	Each application is determined on its individual merits.
Loss of privacy/overlooking in garden	See Section 7 below
Any windows overlooking should be obscure	
Existing property Airbnb - proposal will be used for the same use	The proposal has to be determined on its merits as a Class C3 use (dwellinghouse)
Untidy garden and fences not maintained	Private matter between parties involved
Protected trees will be removed	If removed without consent an offence would be committed.

Habitat Regulations Assessment & Appropriate Assessment

The Council, as competent authority under Regulation 63(1)(a) of the Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations), has conducted a Habitats Regulations Assessment (HA) of the proposed development.

Recreational Pressure

The project being assessed would result in a net increase of a dwelling within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations) and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. As such, to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.

The applicant has proposed a mitigation package based on the methodology in the Developer Contributions Guide. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant has entered into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24.

Water quality

There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Therefore, a significant effect on the Chichester and Langstone Harbours SPA, Solent Maritime SAC and Solent and Dorset Coast pSPA cannot be ruled out.

Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will emit a net nutrient load into European Sites. The Position Statement and Mitigation Plan for Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant has entered into a legal agreement to secure the mitigation package.

Appropriate Assessment conclusion

The Habitats Regulations Assessment concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's European Sites which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has entered into a legal agreement to secure the mitigation packages.

The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have not responded to this consultation, with the assumption they have no objection, as the applicant has entered into a legal agreement to secure the mitigation packages and paid the contributions

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact on the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Impact on trees
- (v) Ecology/BNG
- (vi) Highways/parking matters
- (vii) Drainage/Flood Risk
- (viii) CIL

(i) Principle of development

7.2 The application site is situated within a sustainable urban area where further development is considered acceptable subject to the usual development management criteria. The application site is situated within a sustainable urban area where further development is considered acceptable subject to the usual development management criteria. . The Council's Five-Year Housing Land Supply Update, December 2024, indicates the Borough's housing land supply position as 1.8 years with a 20% buffer applied. This shortfall engages Paragraph 11d) of the NPPF with its presumption in favour of granting permission unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits. It is accepted that the proposal for one additional dwelling, would make a modest contribution to the Borough's housing supply and this benefit of the proposal must be afforded weight.

7.3 The Council has identified that it has a finite amount of undeveloped land and environmental designations in the borough which limit opportunities for new development. Within this context, the Council's strategy for the delivery of new growth is to concentrate development within the urban areas where there are existing facilities and where new development would have the least impact on the range of highly protected designations within the Borough. To support this approach, Policy CS17 of the Havant Borough Local Plan (Core Strategy) (2011) sets out that development will be permitted that makes the most effective use of land in the borough.

7.4 Policy CS9 of the Core Strategy supports housing proposals which achieve a suitable density of development for the location, considering accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form. The supporting text of the policy sets out density thresholds, and in this regard the proposal would represent a low-density development at 33 dwelling per hectare on a site of approximately 0.03 hectares.

7.5 The adopted Local Plan policies echoes the advice in the National Planning Policy Framework (NPPF).

- 7.6 Paragraph 124 of the NPPF sets out that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 7.7 Paragraph 129 of the Framework supports development that makes efficient use of land where it considers the desirability of maintaining an area's prevailing character. Policies CS17 and CS9 of the HBLP together are broadly consistent with this approach.
- 7.8 The Framework goes further and sets out at Paragraph 130 that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities and ensure that development makes optimal use of the potential of each site.
- 7.9 The principle of making more efficient use of an existing urban sustainable site is therefore supported having regard to the surrounding character and built form, albeit that the acceptability of the scheme put forward will turn on consideration of several detailed planning considerations as set out below.

(ii) Impact upon the character and appearance of the area

- 7.10 Havant Design Guide SPD acknowledges that backland developments have a role to play in delivering the Council's housing and developments. However, it is recognised that such developments may have an adverse effect on neighbouring properties and the character and quality of the existing area. The SPD states that such developments should not have an adverse impact on existing neighbouring properties and should *"...not dominate in terms of mass or height, the street or public frontage, or buildings on this frontage. It should be well designed, it should also be subservient and smaller in size, massing and scale to the frontage property."*
- 7.11 In general backland development schemes would only be permitted provided the amenities of the surrounding dwellings, together with the host dwelling can be safeguarded.
- 7.12 Within the locality at 40 and 48 Hart Plain Avenue, the sites have been redeveloped at a higher density (No. 40) or the subject of backland development for a single dwelling (No. 48). Therefore, whilst the general pattern of development in the immediate vicinity is that of deep plots, this has been altered by the creation of cul-de-sacs and backland development at intervals along Hart Plain Avenue"
- 7.13 The chalet bungalow would have dormers to the front and rear together with roof lights. External materials would be cladding and render, with windows and doors in a grey finish. The roof would be composite slate grey tiles.
- 7.14 The accommodation would provide a kitchen/dining area, utility room, lounge, office and WC on the ground floor. There would be 3 bedrooms, bathroom, ensuite and dressing room at first floor. Gross internal area of the three bed chalet would total 166.51 m².
- 7.15 There would be level access at front, with a garden area surrounding the proposal.

- 7.16 Due to the development being located to the rear of the site, surrounded by trees it would not be visible from the public realm and would be subservient in scale and massing to the frontage property.
- 7.17 As to the length and width of the driveway to reach the proposal to the rear this would be an extension of the existing access to the host dwelling and adjacent to No. 52, alongside their flank walls. This would run along the eastern boundary before extending out across the entire site to provide the car parking area to the west. The footpath and cycle area would then continue along this boundary to the proposal. Along the eastern boundary are protected trees, together with vegetation and a 1.8m boundary fence. Car parking for the host dwelling would be to the front of the site.
- 7.18 The proposal is for a chalet style bungalow with a pitched roof which is considered to be in character with the existing residential area, which contains bungalow style developments as well as two-storey properties. The dwelling would be subservient to the main dwelling in scale and would be situated well back into the plot which would not be visible from the streetscene. It is considered that the overall size of the site, can support a development that is not cramped or congested and can provide adequate parking and amenity space for a 3no. bedroom family home. It is therefore considered to meet the requirements of Policy CS16 in this regard.

(iii) Impact upon residential amenity

Existing residential amenity

- 7.19 The properties with the potential to be impacted by the proposal are the host dwelling, 52, 56, 56a Hart Plain Avenue and 73, 75, 77 Silvester Road and 11 Hartwood Gardens.. As to 56, 56a Hart Plain Avenue, 73, 75 and 77 Silvester Road, due to the separation distances from these properties, the development would not significantly impact on the residential amenity or living conditions of the occupiers of these properties. As to No. 52 due to the separation distance of approximately 48m at the closest point, coupled with the boundary treatment, which includes large protected trees and 1.8m wooden boundary fencing, the proposal would not lead to a significant loss of privacy to the occupiers of this property. That said, the vehicular driveway to the proposal, is to the west of this property, with boundary treatment of a 1.8m close boarded wooden fence, which if permission was granted would be replaced with a 1.8m high acoustic. No. 52 has two ground floor windows on the west elevation, with the host dwelling having an existing side door and window opening out onto the driveway. As mentioned above, details have been submitted showing the blocking up of the doorway and window on the host dwelling's eastern elevation, with a 1.8m high acoustic fence alongside the host dwelling and the boundary with No. 52. The driveway would be blocked paved or similar. Such matters would be conditioned if permission was granted.
- 7.20 As to the driveway this would only carry the traffic for the single dwelling to the rear. It is not unusual in a suburban road for a driveway to a single dwelling to pass close to neighbouring dwellings or their gardens. Whilst there would be some additional brief noise from vehicle movements and possible fleeting disturbance by headlights at night, which would be ameliorated by acoustic fencing, it is not considered that this would result in unacceptable harm to the amenity of the host dwelling or the occupiers of No. 52, which it is noted has not objected to the proposal.

7.21 Three parking spaces would be provided for the host dwelling, which is acceptable. The host dwelling would retain a rear garden of a minimum depth of 20m, which is likewise acceptable

7.22 As to 11 Hartwood Gardens to the west the separation distance to the flank windowless wall of this property, would be approximately 19m, with Havant Design Guide requiring 10m. Coupled with large protected trees in between, the proposal would not significantly impact on the amenities of the occupiers of this property. ,

Future residential amenity

7.23 The size of this 3-bed property would comply with the Government's Technical housing standards – nationally described space standard and would be built to energy efficient standards which would cover solar panel, air source heat pump and a grey water recycling system. The floor area would be 166.51 sqm.

7.24 The rear garden to the proposal would be to the north west, with an average depth of 11m. This would exceed the minimum requirement in Havant's Design Guide SPD of 10m. To the north east of the site the garden area would be an average depth of 4m to the edge of the boundary, with an average depth of 2m to the boundary with 56 Hart Plain Avenue to the south east. A 1.8m high close boundary fence would be provided around the entire perimeter of the site, with hedgerow planting proposed along the eastern boundary, which would be conditioned if permission is granted.

7.25 As to the protected trees in the rear garden and adjacent, due to the overall garden area of the proposal which would effectively surround the bungalow, this would not be a constraint to development due to over shadowing, such as to warrant the refusal of permission.

7.26 The proposal would have three parking spaces and a turning area to the front of the proposal, which satisfies the requirements of Havant's Car Parking SPD and Policy DM13 of the Core Strategy and would benefit from an EV Charging point and cycle provision. .

7.27 The proposal would provide a satisfactory level of accommodation for future occupiers.

(iv) Impact on trees

7.28 The application is accompanied by an Arboricultural Impact Assessment, a Arboricultural Method Statement and a Tree Protection Plan. The Council's Arboricultural Officer has been consulted over the application who has advised that *"This application has a number of considerable off site tree constraints – that fall outside the control of the site owner / any future owners. In particular the Large Poplar is now in the latter stages of its life cycle and will require management accordingly."* Whilst raising this constraint, no objection has been raised by the Arboricultural Officer subject to a condition set out above, which is recommended.

(v) Ecology/BNG

7.29 All development within the Borough is expected to protect, conserve and enhance the Borough's Local Ecological Network.

- 7.30 The application is accompanied by a Biodiversity Metric (BM) and a Biodiversity Gain Plan (BGP). The Council's Ecologist has been consulted over the proposal who has raised no objection subject to a deemed condition that requires a Biodiversity Gain Plan be submitted to and approved by the local planning authority prior to the commencement of development. If permission is granted such a condition is recommended. However, confirmation from the agent is that the proposal is self build. Self build housing application are granted an exemption from the legal requirement to demonstrate 10% BNG on a site. Therefore, notwithstanding the submission of a BM and BGP, a condition to secure BNG for the site, is inappropriate. However, in the interests of ecology, a condition as to the provision of bat boxes on the dwelling is recommended.

(vi) Access/parking matters

Access

- 7.31 The existing access would be used to service the development and the host dwelling. The Highway Authority has been consulted over the proposal advising that "*As the application is for a single dwelling, which proposes to share the existing dropped kerb facility with the existing property and therefore there is no change of vehicle access onto the highway, HCC's Highway Standing Advice should be referred to in the first instance.*" As to this advice it requires that any development of 2-5 dwellings using a shared vehicular access from the highway is able to facilitate vehicles entering and exiting from the development onto the highway in a forward gear. There would be sufficient space within the site for vehicles to enter and leave the site in a forward gear, which has been demonstrated by the details submitted.
- 7.32 As to the existing access/driveway as stated above, this would run between the host dwelling and No. 52 to the east, running parallel with the eastern boundary to the parking/turning area to the north.

Parking

- 7.33 The proposal would have three parking spaces and a turning area to the rear, which exceeds the minimum requirement of two spaces, required by Havant's Car Parking SPD and Policy DM13 of the Core Strategy. The proposal would benefit from an EV Charging point. The proposal, also provides for three parking spaces for the host dwelling, in compliance with Havant's Car Parking SPD and Policy DM13 of the Core Strategy

(vii) Drainage/Flood Risk

Drainage

- 7.34 Foul sewerage would be disposed of by the mains sewer. This would be a matter for Building Control as would the surface water disposal.

(viii) CIL

- 7.35 A contribution of £23,252.93 under CIL would be required if liable. The application has applied for self-build exemption under the CIL Regulations. Therefore, if this exemption is secured, a CIL contribution would not fall due for the proposed development.

8 **Conclusion**

- 8.1 The principle of residential development at the site is acceptable making an efficient use of land for residential development in a sustainable location. An assessment of the impacts on existing residents' amenity from the development has been carried out and found to be acceptable. Drainage, trees, highways and parking have been addressed or would be controlled by the imposition of appropriate conditions, or by other legislation. Mitigation contributions have been secured for nitrates and the Solent Recreation Mitigation Strategy. The proposal is considered to accord with the development plan as a whole with conditional planning permission recommended.
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9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00648 subject to the following conditions

1 **GENERAL**

The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans

Existing & Proposed Block Plan, which includes proposed car parking and acoustic fencing - Drawing No. 1 of 1 Rev C
Roof Layout, Elevations & Floor Plans Drawing No. 1-1 Revision B
Tree Protection Plan - Drawing No. TPP01 RevA

Documents

Application Form
Tree Survey, Arboricultural Impact Assessment & Arboricultural Method Statement by Holt Arboriculture Tree Consultancy dated 24/8/24
Design & Access Statement by DM Designs
European Site avoidance and mitigation checklist
Occupancy Calculator
Nitrate Budget Calculator
Email from agent dated 28/1/25
CIL Forms 1, 2 & 7

Reason: To ensure provision of a satisfactory development.

- 3 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extensions, buildings, swimming pools and hard surfaces shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: In the interests of the protected trees on the site and the amenity of the occupiers of neighbouring properties and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework

4 **PRIOR TO COMMENCEMENT**

The development hereby permitted shall only be carried out in accordance with the Arboricultural Impact Appraisal and Preliminary Arboricultural Method Statement (Submitted by Holt Arboriculture) and British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations).

With the additional aspects in partnership with Havant Borough Council Planning:

Preconstruction detailed Arboricultural Method Statement to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development

On site supervision for operations close to trees by the applicant's Arboriculturist

Pre commencement site meeting with project Arboriculturist and Havant Borough Council's Arboriculturist

Reason: To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

- 5 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

6 **ABOVE GROUND**

Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

7 **PRIOR TO OCCUPATION**

Prior to the occupation of the development hereby approved, details of the ground source heat pump, together with details as to its maintenance, shall be submitted to and approved in writing by the Local Planning Authority. The approved ground source heat pump shall be installed prior to the occupation of the development and thereafter maintained in accordance with the agreed maintenance scheme.

Reason: In the interests of energy efficiency and the amenities of neighbours, having due regard to policies DM10, CS14, CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 Prior to the occupation of the development hereby approved, the details of the solar panels shall be submitted to and approved in writing by the Local Planning Authority. The approved solar panels shall be installed prior to the occupation of the development.

Reason: In the interests of energy efficiency and the amenities of neighbours, having due regard to policies DM10, CS14, CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 Prior to the occupation of the development full details of the Electrical Vehicle Charging point shall be submitted to and approved in writing by the Local Planning Authority. The Charging Point shall be installed in accordance with the approved details prior to the occupation of the dwelling and retained at all times thereafter.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

- 11 Prior to the occupation of the development hereby approved, the door and window on the eastern elevation of 54 Hart Plain Avenue shall be permanently blocked up as shown on Drawing No. 1 of 1, Revision C.

Reason: In the interests of the amenity of 54 Hart Plain Avenue having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 Prior to the occupation of the development hereby approved the acoustic fence as shown on Drawing No. 1 of 1, Revision C, shall be erected and thereafter retained and maintained in the approved positions.

Reason: In the interests of the amenity of 52 and 54 Hart Plain Avenue having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 Prior to the occupation of the development hereby approved, the 1.8m high close boarded fence as shown on Drawing No. 1 of 1, Revision C around the perimeter of the garden of No. 54 Hart Plain Avenue shall be erected and thereafter retained and maintained in the approved position.

Reason: In the interests of the amenity of 54 Hart Plain Avenue having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 Prior to occupation of the development hereby permitted the specification of the materials to be used for the hard surfacing of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented, prior to the occupation of the development hereby approved.

Reason: In the interests of the amenities of residents having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 Prior to occupation of the development hereby approved details of Bat boxes to be on installed on the building shall be submitted to and approved in writing by the Local Planning Authority. The approved Bat boxes shall be installed in full accordance with the approved details before the occupation the dwelling and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of nature conservation and biodiversity net gain and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 Prior to occupation details of the proposed native hedge planting along the eastern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved planting scheme shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any hedge planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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1. The development hereby permitted shall not be occupied until:
 - (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
 - (b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

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POST OCCUPANCY

At all times following occupation of the development hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.