
Site Address: 23 Bath Road, Emsworth, PO10 7EP
Proposal: New enclosed driveway, sliding gate to south-west, dropped kerb and re-landscaped driveway.
Application Type: Full Planning Permission
Application No: APP/23/00362 Expiry Date: 15/06/2023
Applicant: Mr Millard
Agent: Helyer Davies Architects Case Officer: Joseph Toole
 Helyer Davies Architects Ltd
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

23 Bath Road, Emsworth, is a detached two storey dwellinghouse set back off Bath Road with Waters Edge Gardens to the south. The property comprises rendered brickwork with a natural stone coping. Vehicular access is from Waters Edge Gardens with parking to the front and side.

The application site lies within the Emsworth Conservation Area. The property is not listed however the building has an attractive appearance and makes a positive contribution to the surrounding area.

The application site is located within Flood Zones 2/3.

2 Planning History

06/62455/000 - Two storey front extension and single storey rear extension to flat roof bin store., PERM,27/04/2006

06/62455/001 - Notification of intention to fell 2x Hazel trees, 2x Fir trees, 2x Plum trees and a Bay tree, crown to Highway standards a Horse Chestnut all within Emsworth Conservation Area., RNO,24/05/2006 10:56:06

APP/17/00103 - Crown reduce by 2m a Norway Maple within Conservation Area of Emsworth. , RNO,18/04/2017

APP/19/00395 - Single storey front extension with porch and relocation of front door; new veranda to rear elevation and new dropped kerb to Waters Edge Gardens (Approved 13/06/2019). Request to discharge Condition 4 (29.06.2020)., PERM,13/06/2019

APP/21/00937 - Fell 1No Apple tree. Within conservation area of Emsworth., WD,13/10/2021

3 Proposal

The proposal would involve a new enclosed driveway, sliding gate to south-west, dropped kerb and re-landscaped driveway.

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)
CS15 (Flood and Coastal Erosion)
CS16 (High Quality Design)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_H1 (Design & Heritage)
ENP_D1 (General Design Policy)
ENP_D2 (Height, Mass & Materials)
ENP_D3 (Layout, Form & Density)

Listed Building Grade: Not applicable.
Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Conservation Officer (1) **Assessment**

The proposed works are to allow for a more private rear garden space for the property and improved parking arrangements. The proposed new gate and wall are in keeping with the traditional character of the property and the wall be rendered and painted white to match the main house.

Conclusion

In summary, it is considered that the proposals would preserve and enhance the special qualities of the conservation area, meeting the test set out in Section 72 of the T&CPA 1990 (Listed Buildings and Conservation Areas).

No Objection

Conservation Officer (2)

I have checked over the amended plan and am satisfied that the replacement of the wall with a gate will not result in harm to the conservation area. As such, no objection is raised.

Councillor Julie Thain-Smith
No Comment.

Councillor Lulu Bowerman
No Comment.

Councillor R Kennett

No Comment.

Developer Services, Southern Water

The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under a NRSWA enquiry in order to protect public apparatus. Please send these enquiries to Developer.Services@southernwater.co.uk

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Hampshire Highways - Original response

Thank you for your consultation on the above planning application. The Highway Authority wish to make the following comments.

The Highway Authority note that the existing points of access are to remain unchanged, however, alterations are to be made to provide a sliding timber gate. Further information is requested from the applicant regarding the access arrangement and whether this is to be one way arrangement as shown within drawing 22082-02 Rev D.

The full height of the gate and any associated posts and wall should be confirmed. Pedestrian intervisibility splays should also be provided in accordance with HCC TG3 to ensure that the proposals do not block any achievable visibility for a vehicle egressing to see pedestrians appropriately.

It is noted that gates are also proposed turning inwards onto the property adjacent to the property. The distance from the highway should be confirmed and should be a minimum of 6.0m away from the highway to allow a vehicle to wait for the gates to open without obstructing the highway.

Having regard to the above, the Highway Authority require the further information requested before a formal recommendation can be made.

Hampshire Highways - Revised response

Thank you for your reconsultation on the above planning application. The Highway Authority wish to make the following comments.

Following the Highway Authorities previous comments, drawing 22082-03 confirms a one way access arrangement. This is noted.

Whilst the full height of the gates and any associated posts has not been confirmed, the applicant has provided pedestrian intervisibility splays in accordance with HCC TG3. It is agreed that appropriate visibility can be achieved from this access considering the alterations and thus, no further information is requested from the applicant on this matter.

The applicant has confirmed that the gates opening inwards onto the property are set back over 6.0m from the highway which provides appropriate space for vehicles to wait for the gates to open without obstructing the highway.

Having regard to the above, the Highway Authority provide no objections to this planning application.

Property Services Manager

No Comment.

Arboriculturist

Approve, subject to conditions

Reasons for Recommendation

The Council seeks to protect tree coverage in the Borough, sympathetically incorporating existing features into the overall design of the scheme including measures taken to ensure their continued survival.

The application reflects the importance of protecting the adjacent trees (horse chestnut and hornbeam) by integrating them within the design proposal. The retention of both trees in the development, as shown in plan 'PROPOSED - Option A Block plan - 22082-02 Revision E' identifies and responds positively to their importance to the street scene and sympathetically incorporates them into the overall design of the scheme.

Additional drawings and documents submitted with the application, which show the removal of the horse chestnut tree, including the Design and Access Statement and Highway Plan 22082-03 and the Arboricultural Assessment and Method Statement should be discounted from the application as these plans are contrary to Policy CS11, CS16 and DM8 of the Havant Core Strategy (2011).

The development would retain the trees high amenity value to the local area and would serve to protect the character and appearance of Emsworth conservation area, due to their close proximity to it.

If the officer were minded to grant permission for the application, any pruning works and tree protection measures, should be secured by condition to be in accordance with Policy CS11, CS16 and DM8 of the Havant Core Strategy (2011).

Recommended Conditions:

Approval subject to the following conditions;

a) Pruning works:

Any required tree works shall be submitted to the local authority prior to commencement and should be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

Reason: To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

b) Tree protection measures:

No development, including site clearance, shall commence on the site until a dimensioned tree protection plan in accordance with Section 5.5 and an impact and method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The details of the method statement must include an assessment of the long term impact of the adjacent trees that could have a detrimental impact on the development and provide recommendations for pruning works to be undertaken that would retain the high amenity value of the trees.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

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: 8

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

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) Appropriateness of design and impact on the building of local interest and conservation area
- (iii) Effect on neighbouring properties
- (iv) Drainage implications
- (v) Flood Risk
- (vi) Highway matters
- (vii) Impact on trees

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the building of local interest and conservation area

- 7.3 The proposed works would enclose the driveway which screens the garden from the street. The proposed gate would be timber. This is considered to be in keeping with the context of the dwellinghouse and the character of the area.
- 7.4 The proposals are considered to preserve and enhance the special qualities of the conservation area, meeting the test set out in Section 72 of the T&CPA 1990 (Listed Buildings and Conservation Areas). Due to the nature of the proposal it is not considered to have an adverse impact on the building and the conservation area.
- 7.5 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.6 The proposal is not considered to have an adverse impact on any of the surrounding properties.
- 7.7 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(iv) Drainage implications

- 7.8 Southern Water commented on the application raising no objection. An informative has been added to the decision.
- 7.9 The proposed driveway and hard landscaping will be constructed in a porous surfacing.

(v) Flood Risk

- 7.10 The application would be classed as a 'minor development' and according to the National Planning Practice Guidance (NPPG) unlikely to cause flood risk unless they would have an adverse effect on a watercourse, floodplain or its flood defences; they would impede access to flood defence and management facilities, or; where the cumulative impact of such developments would have a significant effect on local flood storage capacity or flood flows. The proposal should not affect these areas.
- 7.11 The application site is located within Flood Zone 3. The applicant's submission confirms that there would be no change in levels and the driveway and hard landscaping would be porous. It is also worth noting the proposal would not increase the existing footprint. The proposed development is classed as minor development and unlikely to increase the risks associated with flooding to the site and elsewhere and therefore accords with policy CS15 of the Core Strategy.

(vi) Highway matters

- 7.12 It is worth noting the client's have to apply for a dropped kerb from Hampshire Highways. An informative setting this out has been added to the decision. Hampshire Highways commented on the application requesting additional information in order to provide comment. This was passed onto the applicant's agent in which further details were submitted. Hampshire Highway submitted revised comments raising no objections.

(vii) Impact on trees

- 7.13 The Council's Arboriculturist commented on the application stating the proposal reflects the importance of protecting adjacent trees therefore raising no objection subject to conditions. The pruning works condition is not considered to meet the tests for conditions and as such has been recommended as an informative. The condition requested for a Tree Protection Plan and Method Statement to be provided prior to commencement has been agreed by the applicant's agent and recommended to the added to the decision.

8 Conclusion

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area, would have a limited and acceptable impact on the neighbouring properties, the surrounding trees, access and flood risk. On this basis it is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/23/00362 subject to the following conditions

- 1 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:

Existing Site Location Plan, site Plan and Street Elevation 22082-01
Proposed Plan and Street Elevations - 22082-02 F
Highway Plans - 22082-03

Reason: To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the hereby approved plans.

Reason: In the interests of the amenities of the area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No development, including site clearance, shall commence on the site until a dimensioned tree protection plan in accordance with Section 5.5 and an impact and method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The details of the method statement must include an assessment of the long term impact of the adjacent trees that could have a detrimental impact on the development and provide recommendations for pruning works to be undertaken that would retain the high amenity value of the trees.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.