
Site Address:	13 Sparsholt Close, Havant, PO9 4AP		
Proposal:	Single storey rear extension and first storey extension to form new dwelling.(Retrospective)		
Application Type:	Full Planning Permission		
Application No:	APP/22/00593	Expiry Date:	15/02/2023
Applicant:	Mrs Goulding		
Agent:		Case Officer:	Joseph Toole
Ward:	Barncroft		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 No 13 is a two storey end of terrace dwellinghouse positioned towards the north end of Sparsholt Road in Havant. The property is positioned on level ground but has a slight incline of land to the east which then drops down to the front elevation of the property. The dwellinghouse is constructed of facing brickwork and concrete tiles and has a previously permitted side extension at single storey which was built and used to serve No 13. The front amenity space is modest in size, is laid with hard-surfacing and is surrounded with a low 1m brick wall. To the front of the property and down to the highway the land is hard-surfaced in order to accommodate 4 cars. This has been confirmed to be owned and serves No 13.
- 1.2 No 13 is positioned in an adequately sized plot and has a large amenity space to the rear which is laid as lawn and surrounded with 1.8m timber fencing and part hedging around the curtilage.
- 1.3 The surrounding area is residential in character featuring typically two storey terrace dwellings opposite and to the south. To the north is The Woodlands Education Centre.

2 Planning History

91/56173/000 - Single storey side extension., PERM,20/06/1991
APP/18/01141 - First floor side extension and single storey rear extension to create new 2 bed end of terrace house and associated parking., PERM,11/02/2019

3 Proposal

3.1 The proposed development is for a first floor side extension and single storey rear extension to create new 2 bed end of terrace house and associated parking. This is a retrospective application to the previously approved planning application APP/18/01141. The reason for this application is that the previous application expired on the 11/02/2022 and the works started on 31/03/2022, following the expiry of the permission and non-compliance with pre-commencement conditions. It is worth noting the scheme is exactly the same as the previously approved application.

3.2 Under planning reference APP/18/01141 none of the prior commencement conditions were discharged, before the expiry of the permission. Therefore, if permission is granted, the relevant conditions, revised as necessary, are recommended.

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

CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)
CS20 (Transport and Access Strategy)
CS21 (Developer Requirements)
CS9 (Housing)
DM10 (Pollution)
DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

HB1 (Havant and Bedhampton Housing Allocations)
AL1 (Presumption in Favour of Sustainable Development)
DM24 (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Pamela Crellin - Barncroft
No Comment.

Councillor Yvonne Weeks - Barncroft
No Comment.

Natural England Government Team
DESIGNATED HABITATS SITES – NO OBJECTION SUBJECT TO SECURING
APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation. With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Your appropriate assessment dated 11 January 2023, concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects

on the Habitats Site(s) for the duration of the proposed development.

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant.

Further Advice

Nutrient Budget – Bespoke Occupancy Figure

We note that an alternative occupancy figure has been used in the nutrient budget calculation. It is Natural England's view that competent authorities may choose to adopt bespoke calculations for detailed planning applications, if sound evidence is available. These are matters for each competent authority. Natural England's advice is to take a precautionary approach that recognises the uncertainty.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Drainage - comments

There is an MH in the original back garden and we need to know that the new extended / new unit doesn't build over or otherwise affect that without agreement. Same terms

Officer comment: *drainage both foul and surface would have been dealt with by Building Control.*

Nutrient Team, Planning Policy

Thank you for consulting the nutrients team.

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

The applicant should be advised that the Council's strategic mitigation scheme is to be charged at £3,000 per kilogram of nitrogen (as at 18/11/22). In addition, the applicant is advised 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/>

Southern Gas Network

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: 8

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 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 dwellings 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, in order 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. However the lack of receipt of the appropriate mitigation packages means the development would be likely to have a significant effect on the Solent European Sites and be contrary to the Conservation of Habitats and Species Regulations 2017 (as amended) and the National Planning Policy Framework. Therefore, on the basis of a refusal of planning permission for other matters, then it is necessary to include the non-provision of the avoidance and mitigation package for recreational disturbance as a reason for refusal.

7.2 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 upon the character and appearance of the area
- (iii) Impact on future occupiers
- (iv) Impact upon residential amenity
- (v) CIL
- (vi) Parking

(i) Principle of development

7.3 The application site is situated within an urban area as defined by policy CS17 where further development is considered acceptable subject to the usual development control criteria. Policy CS9 supports new dwellings which help the Borough achieve its allocated housing requirement and therefore the principle for the additional dwelling is acceptable, which was found to be the case when the same proposal was previously granted on the site under reference APP/18/01141 (hereinafter referred to as the previous permission).

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

7.4 The impact on the character and appearance of the area has been previously found to be acceptable by the grant of the previous permission APP/18/01141.

(iii) Impact on future occupiers

7.5 The impact on the living conditions for future occupiers has been previously found to be acceptable by the grant of the previous permission APP/18/01141.

(iv) Impact upon residential amenity

7.6 The impact upon residential amenity has been previously found to be acceptable by the granting of the previous permission APP/18/01141. This was confirmed following a site visit.

(v) CIL

7.7 The application is liable to pay the Community Infrastructure Levy a total of £5,629.29. However a self build exemption has been applied for.

(vi) Parking

- 7.8 The car parking arrangements has been previously found to be acceptable by the grant of the previous permission APP/18/01141.

8 Conclusion

- 8.1 There has been no policy change since the previous approval under planning application reference APP/18/00109. Thus, the scheme for an additional dwelling to the side of No 13 with appropriate conditions does not give rise to any undue amenity space issues and is acceptable in highway terms. The scheme is therefore considered to accord with the relevant Local Plan and Allocations Plan policies and the guidance set out in the Borough Design Guide SPD and the NPPF. The application is therefore recommended for conditional planning permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00593

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

Location and Block Plan - 07
Existing and Proposed Site Plans - 01
Proposed Ground Floor Plan - 03
Proposed First Floor Plan - 04
Proposed Elevations - 06
Nutrient Budget Calculator
Occupancy Calculator

Reason: - To ensure provision of a satisfactory development.

- 2 Within 3 months of the date of this permission 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 and 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.

- 3 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building alteration, means of enclosure or windows (including within the roof) shall be constructed within the curtilage of the hereby permitted new dwelling without the prior approval of the Local Planning Authority.

Reason: In the interests of the amenities of the neighbouring properties and

having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 4 Within 3 months of the date of this permission details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, shall be submitted to the Local Planning Authority for approval. The means of enclosure shall be erected within 3 months of the date of the approved details in accordance with the approved details. The means of enclosure shall thereafter be retained.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Within 3 months of the date of this permission a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced shall be submitted in writing to the Local Planning Authority for approval. The approved surfacing shall be implemented within 3 months of the approved date and retained thereafter.

Reason: In the interests of the amenities of the locality 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 2018.

6

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.

- 7 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.