

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

Emsworth Neighbourhood Plan Post Examination Version 2020

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

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Approve, subject to conditions

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 draws on a previous application (APP/16/01286) that was permitted in 2017. The application proposes a rear extension within the Root Protection Area (RPA) of a mature oak tree and the agent has submitted correspondence and supporting information to outline how the works would require special foundations to ensure minimal impact to the tree and how works would be undertaken in accordance with British Standards (BS) 5837:2012 - Trees in relation to design demolition and construction - Recommendations.

The application would also involve the installation of a car port and low level wall within the RPA of the mature Cupressus macrocarpa to the front of the property. If the officer was minded to grant permission for the application a condition to secure details of the foundations would be required. The details of the foundations should apply to the rear extension, the car port and the new boundary wall to the south west corner of the site is to be located.

A condition should also be secured for an updated Arboricultural Method Statement and Impact Assessment with a tree survey listing the recommend works to the trees on site. It is presumed the access would require the removal of some of the vegetation adjacent to the north western entrance point and this would relieve the impact of construction traffic in relation to the Cupressus macrocarpa on the western boundary. The authority would advise an updated Tree Protection Plan that accommodates both tree protective fencing and ground protection measures to cover the RPA of the Cupressus macrocarpa to allow the installation of the car port and the low level wall.

The proposed works, subject to the conditions listed below would ensure the protection of the trees on and off site and would be in accordance with Policy 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 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 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.

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 CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

c) Foundations:

No development other than demolition works shall commence until details of special foundations that will be able to 'bridge' the rooting areas of trees or foundations that can be inserted through the root system without causing harm to the trees of the neighbouring properties have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter maintained in accordance with the approved details.

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

d) Tree Protection: Levels:

No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

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

e) Tree Protection: Contractor parking/store:

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 continued health and presence of such existing trees and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

Councillor Julie Thain-Smith

No Comment.

Councillor Lulu Bowerman

No Comment.

Councillor R Kennett

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: Not applicable.

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 character of the area
- (iii) Effect on neighbouring properties
- (iv) 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 character of the area

- 7.3 The proposed extensions would have red bricks and roof tiles to match the existing property. The proposed car port would have a timber frame and a single ply flat roof. These materials are considered to be in keeping with the context of the main dwellinghouse and the character of the area.
- 7.4 With regard to the extensions, by virtue of their size, scale, massing and design they are considered not to have a significant adverse impact on the character and appearance of the property and will be similar in scale to other extensions in the area.
- 7.5 The proposed car port would be located in front of the front elevation of the main building. In terms of its impact on the character and appearance of New Brighton Road, it would largely be screened by the surrounding trees and hedging. In addition the size and scale, together with the subtle use of timber would ensure that the development would not have a significant adverse impact on the character and appearance of the area.
- 7.6 The existing access closest to the southern boundary would be blocked up with a infill brickwall to match the existing. This is not considered to have a significant adverse impact upon the character and appearance of the area.
- 7.7 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 Policies CS16 of the HBLP (Core Strategy) and D1, D2 and D3 of the Emsworth Neighbourhood Plan. It is considered that the scheme would conserve the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.8 The development by virtue of its size, scale and layout is not considered to have a significant adverse impact on the amenities of neighbouring properties with regard to loss of sunlight, overbearing or overlooking impact.
- 7.9 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) and D1, D2 and D3 of the Emsworth Neighbourhood Plan. It is noted no letters of objection were received with respect to the scheme.

(iv) Impact on Trees

- 7.10 The Council's Arboriculturalist commented on the application raising no objection subject to a number of conditions. These conditions have been recommended 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, and would have a limited and acceptable impact on the neighbouring properties and trees. On this basis it is recommended for

approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/23/00086 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:

Site and Location Plan with Parking Plan - PL.663.22.01
Proposed Ground Floor Plan - PL.663.22.06 C
Proposed North and East Elevations - PL.663.22.07 C
Proposed South and West Elevations - PL.663.22.08 B
Additional Tree Information - email dated 11th May 2023

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

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

- 4 Any required tree works shall 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 CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 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 development shall thereafter be carried out in accordance with the approved details.

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 CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No development other than demolition works shall commence until details of special foundations that will be able to 'bridge' the rooting areas of trees or foundations that can be inserted through the root system without causing harm to the trees of the neighbouring properties have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter maintained in accordance with the approved details.

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

- 7 No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

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

- 8 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 continued health and presence of such existing trees and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.