

Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS15 (Flood and Coastal Erosion)
CS16 (High Quality Design)
DM10 (Pollution)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

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

5 Statutory and Non Statutory Consultations

Councillor Leah Turner - Hayling East

No Comment.

Councillor M Wilson - Hayling East

No Comment.

Councillor R Raines - Hayling East

No Comment.

Arboriculturalist

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 proposed garage and extended driveway area would all have an impact on the trees at the front of the property, listed as T01 and T02 on the amended Tree Retention and Protection Plan (LLD2888-ARB-DWG-020 Revision 01 submitted 24.08.2023). Neither tree is subject to a Tree Preservation Order (TPO) nor is the site within a conservation area, but both have a high amenity value and make a significant contribution to the landscape character of the area.

The trees to the north of the site, within the garden of 1 Austen Gardens, are also considered within the supporting arboricultural reports (Existing Tree Schedule LLD-2888 Rev 01 18.07.2023 and Arboricultural Impact Assessment and Method Statement Rev.01 July 2023).

The collaborative working with the applicant and agent is to be commended and the proposed amended scheme has reduced the impact on the Root Protection Area (RPA) of both T01 and T02. The original driveway entrance has been retained, the proposed garage has been repositioned to have a reduced impact on the RPA of T01 and extent of the driveway has been reduced to limit the impact on the RPA of T02. The amendments would alleviate the initial serious concerns of the impact on the RPA of both T01 and T02. If the officer were minded to grant permission for the application, tree protection measures should be secured by condition for the application to be in accordance with Policy CS16 and DM8 of the Havant Core Strategy (2011).

The supporting Arboricultural Impact Assessment and Method Statement Rev.01 (July

2023) highlights the intention for a 'no dig' surface to be installed as part of the works and recommends the need for a specialist foundation for the garage to reduce its impact on the neighbouring trees. An option similar to screw pile foundations with a beam structure above ground level to bridge the rooting system of the tree would be recommended. If the officer were minded to grant permission for the application, detail of the design of the foundations of the garage should be secured by condition for the application to be in accordance with Policy CS16 and DM8 of the Havant Core Strategy (2011).

The supporting evidence (Existing Tree Schedule LLD-2888 Rev 01 18.07.2023 and Arboricultural Impact Assessment and Method Statement Rev.01 July 2023) highlight the need to crown lift T02 to 3.5m above ground level by removing only the low tips (diameter no greater than 25mm) as part of the overall works and these works would be considered acceptable and should be secured by condition to be in accordance with Policy CS16 and DM8 of the Havant Core Strategy (2011).

Recommended Conditions:

Approval subject to the following conditions;

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.

Tree protection measures:

Tree protection measures will be undertaken in accordance with the submitted plan 'Tree Retention and Protection Plan (LLD2888-ARB-DWG-020 Revision 01 submitted 24.08.2023) and Arboricultural Impact Assessment and Method Statement Rev.01 July 2023. Any variations to the details of the documents and plans must only be undertaken after the proposed variations have been agreed in writing by the Local Planning Authority.

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 CS11 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

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.

Tree Protection: Foundations - Hand digging excavations:

Any excavation work, including foundations, within the existing root protection area of the neighbouring trees shall be carried out only by hand in accordance with the BS:5837:2012 'Trees in relation to design, demolition and construction Recommendations'. Any roots over 25mm in diameter shall not be severed and if exposed should be packed with sphagnum moss and wrapped with hessian to prevent the entry of rot causing fungi and micro-organisms. No roots shall be left exposed to the air, water, snow or frost for more than two hours without appropriate protection.

Reason: To ensure the trees are not adversely affected by the construction of the development and having due regard to policies CS16 and DM8 of the Havant 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: 11

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
Requirement for frosted glass in the rear east facing window of the loft conversion serving the new bathroom. Essential to protect both the applicant's privacy and the neighbours.	Due to the distance from neighbouring properties it is not considered necessary to impose this window to be obscurely glazed. Please note if the intention is to be used as an en-suite this window would likely be obscure.
The front fence should not be moved towards the road	This is not being applied for
Impact on the trees need to be considered	Noted

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) Flood risk

- (v) Impact on trees
- (vi) Parking matters

(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 hip to gable end and dormers would have tiles to match the existing property. The proposed extended porch would have brickwork with roof tiles to match the existing property. The proposed double garage would have timber cladding and roof tiles. These materials are considered to be appropriate within the context of the main dwellinghouse and character of the area.
- 7.4 The proposed hip to gable end with dormers due to their modest size are not considered to have an adverse impact on the character of the area. It is worth noting hip to gable ends and front dormers have been established within the street scene. Due to the position of the proposed porch it is not considered to have an adverse impact on street scene. In terms of the proposed double garage, this would be visible from the street scene. As the proposed garage would be partly screened by the existing oak tree to the front and there is no definitive building line along Bound Lane it is deemed acceptable on balance.
- 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 To the front there would be a dormer window serving the dressing room on the second floor facing out onto the public highway and front gardens of the properties opposite. This is not considered to cause any harmful overlooking to the surrounding properties.
- 7.7 On the south side facing No.25 Bound Lane there would be doors and a juliet balcony serving the bedroom on the second floor. These views would face out onto the two access roads to No.s 21a and 23 Bound Lane and side of No.25 Bound Lane. Due to the separation distance of approximately 21 metres to the side of No.25 and views being blocked by their garage these doors are not considered to cause harmful overlooking into the private amenity of the neighbouring occupiers. In terms of the hip to gable end due to its distance from neighbouring properties it is not considered to appear overbearing or result in the harmful loss of light.
- 7.8 On the north side facing No.1 Austen Gardens the proposed porch and extended utility room would come closer to the boundary with a window within the utility room. Due to the existing screening of 1.8 metre high fencing along the boundary it is not considered to cause harmful overlooking. Furthermore, due to its modest size the proposed porch is not deemed to appear overbearing or result in the harmful loss of light to the occupiers of No.1 Austen Gardens. There would be long window serving the stairwell. In terms of the hip to gable end due to its distance of approximately 13 metres from No.1 Austen Gardens it is not considered to appear overbearing or result

in the harmful loss of light.

- 7.9 To the rear there would be a dormer window serving the en-suite on the second floor facing the front of No.21a Bound Lane and side/rear of No.27 Bound Lane. Due to its distance from the neighbouring properties it would comply with the Havant Borough Design Guide SPD and as such not considered to cause harmful overlooking.
- 7.10 Due to the position of the proposed double garage it is not considered to have an adversely negative impact on any neighbouring properties.
- 7.11 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).

(iv) Flood risk

- 7.12 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.
- 7.13 The application site is located within Flood Zone 2/3. The applicant's submission confirms that floor levels within the proposed development will be set no lower than existing levels and flood proofing of the development will be incorporated where appropriate. 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.

(v) Impact on trees

- 7.14 The Council's Arboriculturist commented on the application raising no objection subject to conditions. If permission is forthcoming these conditions would be added to the decision with the exception of the Pruning works which has been added as an informatives as it does not meet the tests for conditions.

(vi) Parking matters

- 7.15 The proposal would continue to provide 4 bedrooms therefore 3 car parking spaces are required on site according to the Havant Borough Parking Standards SPD. There is sufficient car parking on site to accommodate this.

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. On this basis it is recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/23/00129

- 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:

Proposed Block Plan, Floor Plans and Elevations - 20.331.101 REV A
Proposed Garage Floor Plans and Elevations - 20.331.102
Tree Constraints Plan - LLD2888-ARB-DWG-001
Design and Access Statement
Flood Risk Assessment
Arboricultural Impact Assessment and Method Statement
Tree Retention and Protection Plan - LLD2888-ARB-CAD-020-01-TRPP
Existing Tree Schedule - T1-5

Reason: - To ensure provision of a satisfactory development.

- 3 The development hereby permitted shall be carried out in full accordance with the approved 'Tree Retention and Protection Plan (LLD2888-ARB-DWG-020 Revision 01 submitted 24.08.2023) and Arboricultural Impact Assessment and Method Statement Rev.01 July 2023. Any variations to the details of the documents and plans must only be undertaken after the proposed variations have been agreed in writing by the Local Planning Authority.

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 CS11 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

- 4 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.

- 5 Any excavation work, including foundations, within the existing root protection area of the neighbouring trees shall be carried out only by hand in accordance with the BS:5837:2012 'Trees in relation to design, demolition and construction Recommendations'. Any roots over 25mm in diameter shall not be severed and if exposed should be packed with sphagnum moss and wrapped with hessian to prevent the entry of rot causing fungi and micro-organisms. No roots shall be left exposed to the air, water, snow or frost for more than two hours without appropriate protection.

Reason: To ensure the trees are not adversely affected by the construction of the development and having due regard to policies CS16 and DM8 of the Havant Core Strategy (2011) and the National Planning Policy Framework.

- 6 The garage hereby approved shall be used only for purposes incidental to the enjoyment of the dwellinghouse and shall not be used as a separate dwellinghouse, nor for any business or commercial activities which are not wholly incidental to the enjoyment of the dwellinghouse.

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