

Recommendation: **GRANT PERMISSION**

91/54530/002 - Continued use of property for residential/veterinary surgery. PERM
21/11/1991

92/54530/003 - Reduce and rebalance by 30% crown of Willow and thin by 10% crown of Horse Chestnut both covered by TPO 589. PERM

APP/12/00401 - Change of use from Veterinary Surgery (Class D1) on ground floor to residential, to revert to 1No. 4 bed house over 2 floors. PERM 25/06/2012

APP/12/01063 - Fell 1No. Leylandii (T2); crown reduce 1No. Horse Chestnut (T3) by 2m all round; all subject to TPO 1935. Crown lift 1No. Horse Chestnut (T2) to 3m; subject to TPO 0589. PERM,26/11/2012

APP/14/00968 - Reduce crown height by 1.5m, north/east/west sector by 1m and south sector by 0.5m, 1No. Yew tree subject to TPO 1935. PERM 28/10/2014

APP/17/01079 - Crown reduce 2.5m overall to previous pruning points 1No. Horse Chestnut Tree (T1) subject to TPO 1935, Crown raise by 5.5m and crown reduce to give 2.5m clearance on north east sector 1No. Horse Chestnut Tree (T2) subject to TPO 0589. PERM 07/11/2017

3 Proposal

Demolition of existing attached garage and construction on new garage on the same footprint. Amendment to existing vehicle access to create new vehicle & pedestrian access to create improved sight lines and security.

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)
CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Havant Borough Pre Submission Local Plan 2036

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_D1 (General Design Policy)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist, Havant Borough Council

There is a Horse Chestnut subject to TPO at the front of the property. The alterations to the access may have an impact on the tree therefore an Arboricultural Impact Assessment, method statement and tree protection plan will need to be submitted before I can comment.

Following Receipt of an Arboricultural Impact Assessment, method statement and tree protection plan

Arboriculturalist further comments:

I have no objection provided the work is carried out in accordance with the Arboricultural Method Statement and Tree Protection plan submitted with the application.

Developer Services, Southern Water

Southern Water shall have no objections to the above proposal.

Please see the attached extract from Southern Water records showing the approximate position of our existing public foul sewer within the development site. The exact position of the public foul sewer asset must be determined on site by the applicant in consultation with Southern Water.

Please note:

- The public foul sewers require a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future access for maintenance.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/default/PDFs/stand-off-distances.pdf.

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

Furthermore, 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.

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm sewer
- Combined Sewer

Guidance on Building Regulations is here:

gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h
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

Thank you for consultation on the above planning application.

The applicant is seeking to construction a new gated access to their property accompanied by a separate pedestrian side gate. The gates will not require any change to the existing dropped kerb access but will provide a betterment to the southbound visibility splay by removing the immediate hedgerow. The installation of the gate is therefore considered to improve the safety of vehicles attempting to egress the property.

The Highway Authority raise no objection to the proposal.

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: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
We have no objection to the construction of a new garage at 40 Horndean Road. However, we would ask Planning Services to ensure that 42 and 48 Horndean Road have access to the shared driveway at all times. This driveway is in constant use and must not be obstructed by the construction works. Ideally, the builders main access should be from the front of No. 40 and not the shared driveway. Thank you for ensuring this happens.	The agent has confirmed no materials will be stored or obstruct the shared access.

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) Effect 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 proposal is to demolish the existing flat roof attached garage and replace with a pitched hipped roof garage within the same footprint. The proposed garage will have a maximum height of 3.664m, and eaves height of 2.4m, the materials to be used in the construction of the replacement garage will be a 0.5m brick and flint wall with cedar 'timber' cladding to the eaves height, with a roof slates to match those used on the existing dwelling, the proposed garage will have 2No. roof lights inserted in to the north side roof slope. The proposed front and the north elevation would be visible from the public realm the proposed garage will be set back approximately 20m from the public highway, the garage is of a high quality design and would not create a harmful visual impact on the character of the area.
- 7.4 Part of the proposal is for an alteration to the existing access, this would include the erection of 2.15m high brick pillars with a flint stone capping, a timber pedestrian entrance gate, a 1.8m brick and flint wall, and timber gates to the access for vehicles. The vehicle entrance timber gate will be set back 2.8m from the pedestrian path and 5m from the highway to ensure visibility when leaving the access. This element of the proposal would be visible from the public realm, the boundary treatments to the frontages of the properties of Horndean Road are mixed with, hedging, walls, fencing, the proposal would not create a harm visual impact to the character of the area.
- 7.5 The cedar timber cladding to the garage and the cedar timber entrance gates are to be stained black, the proposed material and staining of the cedar timber cladding would not create a harmful effect on the visual character of the streetscene.
- 7.6 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
- 7.7 The proposed garage will not be readily visible to the neighbouring property to the south and is a significant distance from the neighbouring properties to the front and rear that any impact upon these neighbouring properties would be negligible and therefore acceptable.
- 7.8 The proposed garage will have a and approximate 4.5m distance from the side elevation of the neighbouring property's (No.48) side facing extension wall, any impact from the proposal would be minimal and acceptable.
- 7.9 The proposed wall and entrance gate to the frontage of the property would have an

excess of 15m distance from the neighbouring properties to the front of the application site and any impact upon this neighbours would be minimal and acceptable.

- 7.10 The proposed wall and entrance gates will have a distance of 9m from the front facing elevation of the neighbouring property to the south (No.38), the impact upon this neighbouring property would be minimal and acceptable.
- 7.11 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking 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) Effect on Trees

- 7.12 The Council's Arboriculturalist was consulted as part of the application no objection providing the work is carried out in accordance with the Arboricultural Method Statement and Tree Protection plan submitted with the application. A condition has been placed on the decision noticed to ensure these comments are adhered to.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00851 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:

Application Form - Received 16 September 2020

Location Plan - Drawing No. 100 - Received 16 September 2020

Existing and Proposed Block plans - Drawing No. 101 - Received 16 September 2020

Existing Floor Plans - Drawing No. 102 - Received 16 September 2020

Existing Elevations - - Drawing No. 103 - Received 16 September 2020

Proposed Floor Plans - Drawing No. 104 - Received 16 September 2020

Proposed Elevations - - Drawing No. 105 - Received 16 September 2020

Existing Access Plan & Elevations - Drawing No. 106 - Received 16 September 2020

Proposed Access Plan & Elevations - Drawing No. 107A - Received 16 September 2020
Arboricultural Impact Assessment - Received 11 November 2020
Tree Protection Plan - Received 11 November 2020
Tree Data - Received 11 November 2020
Tree Location Plan - Received 11 November 2020
Email confirming the staining and material to be used on the garage and gates - Received 18 November 2020

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms / details 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 The development shall be carried out strictly in accordance with the submitted Arboricultural Impact Assessment and the Tree Protection Plan - Received 11 November 2020. All the measures forming part of the approved specification shall be undertaken and fully adhered to at all times..
Reason: To safeguard the continued health and presence of the trees and to protect the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.