
Site Address: 24 Bosmere Gardens, Emsworth, PO10 7NP
Proposal: Use of front garden as parking area and new dropped kerb.
Application No: APP/19/00481 Expiry Date: 09/07/2019
Applicant: Mr Brown
Agent: Case Officer: Denise Sheath
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

24 Bosmere Gardens, Emsworth is a end of terrace two storey dwelling, it is constructed with brick and has a hung tiled roof, with a small porch to the front. The boundary treatment consist of a 1m brick wall to the front and east elevation and a 1m close boarded fence to the west elevation to the front of the property. There is a small access Road to further dwellings to the east elevation.

The streetscene along Bosmere Gardens is a mix of varying designs and styles of dwellings. There are already properties along the same side of the road with dropped kerbs and off road parking.

2 Planning History

None

3 Proposal

Use of front garden as parking area and new dropped kerb.

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)

DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

A material consideration is also The Emsworth Neighbourhood Plan which has reached an advanced stage of preparation and was submitted to the Local Planning Authority in April 2019. As such it can be afforded limited weight in decision making

5 **Statutory and Non Statutory Consultations**

Hampshire Highways

Whilst the front garden is not deep enough to accommodate a family size car, it is deep enough to accommodate a small car as well as motorised two wheeled vehicles. I am concerned that the proposed surfacing could with regular use, end up with mud being deposited on the highway and therefore suggest a condition to vary the surfacing to a non-migratory material. I believe the access could be constructed without the benefit of planning permission under PD. If that is correct the Highway Authority have no objection subject to the following condition and a note to applicant :-

Condition:-

Prior to use of the area shown on the approved plan for the purpose of parking commencing, it shall be surfaced in a non migratory material and retained in this condition at all times.

Note to Applicant:-

Before undertaking any work which affects a public highway (including a public right of way) you must obtain specific written approval from the Director of Economy, Transport and Environment at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact highways.development.control@hants.gov.uk

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: 3

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 3

Comment	Officer Comment
I am sure that the relevant land use and planning considerations probably do not permit this development. In my opinion the space in-front of the house does not appear to be deep enough to	Please see Hampshire Highway's Consultation Response

park even a small car and the owner would need to obstruct the path to do so. There are two kerbside spaces in-front of the three terraced houses which are currently taken on a first come first served basis lending a necessity for good neighbourly behaviour. Finally, in my opinion, the loss of the grass verge would not only make the path feel less aesthetically pleasing it would also be less safe for all users who currently feel protected by the narrow green strip. I trust that these opinions will be taken into consideration.	
Surprised by the objection comment as refers to; vehicle obstructing the pavement, a matter for highways enforcement which clearly does not exist in the area, aesthetically pleasing referring to a narrow strip of very poorly maintained grass/weeds/mud, the majority of the piece would remain and already largely removed by other parking access And neighbourly behaviour despite the on road parking not being solely residential use, a common misconception which should not be encouraged	
This must be an application for somebody other than the people who live in this house who have two cars bigger than the space that would be available if this were agreed. One of the cars is brand new so unlikely to be replaced shortly and the other is not quite as new so also unlikely to be replaced imminently. If the garden isn't actually going to be used as a parking area, is this just a ploy to get a dropped kerb in front of the house to prevent others parking there? The loss of the grass strip would be a shame.	The application is to be determined on its own merits. The dropped kerb could be carried out under Permitted Development.

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) Highway Safety

(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 property is located on Bosmere Gardens, which is not a classified Road. Therefore, the proposed dropped kerb could be carried out under Permitted Development. The grass verge to the front of the application site would be required to be removed, there are still small areas of grass verges along the streetscene, many of which have already been removed or adjusted to allow for the dropped kerbs along the streetscene. Therefore, the removal of this grass verge for the installation of a dropped kerb would not be out of keeping with the surrounding area and would not be a reason for refusal. It is therefore considered to be in compliance with Policy CS16 of the Havant Borough Core Strategy 2011.

7.4 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) Highway Safety

7.5 The Highways Engineer has not objected to the proposed dropped kerb, and it is not considered that the dropped kerb would be detrimental to highway safety. There have been concerns raised with regard to the materials to be used for the hard standing, a pre-commencement condition has been added to the decision for confirmation of non-migratory materials to be used prior to commencement, this condition has been agreed by the applicant. The proposal therefore accords with Policy DM13 of the Havant Borough Core Strategy 2011.

7.6 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).

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/19/00481 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 03 May 2019

Location Plan - Received 10 May 2019

Block Plan - Received 10 May 2019

Photos of existing - Received 10 May 2019

Existing Floor Plan - Received 03 May 2019

Proposed Floor Plan - Received 03 May 2019

Email confirming acceptance of Pre-commencement Condition - 08 July 2019

Reason: - To ensure provision of a satisfactory development.

- 3 Prior to use of the area shown on the approved plan for the purpose of parking commencing, it shall be surfaced in a non migratory material and retained in this condition at all times.

Reason: To ensure highway safety having due regard to regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.