

Recommendation: **GRANT PERMISSION**

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)

CS17 (Concentration and Distribution of Development within the Urban Areas)
CS21 (Developer Requirements)
CS9 (Housing)
DM10 (Pollution)
DM13 (Car and Cycle Parking on Residential Development)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
DM24 (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist, Havant Borough Council

No objection

Building Control, Havant Borough Council

No adverse comments

Community Infrastructure, Planning Policy & Urban Design

CIL liable.

As this is a replacement dwelling the Solent Recreation Mitigation Strategy does not apply. See

<http://www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy>

Crime Prevention -Minor Apps

No response received.

East Hants District Council

No response received.

Public Spaces

No response received.

Waste Services Manager

No response received

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: 11

Comment	Officer Comment
1. The Havant Council area of Rose Hill are residences which are all bungalows. 2. There is an obligation if not a duty on the part of the council to preserve the integrity of the existing environment. 3. The adjacent bungalow will affectively have a watch tower looming over it. 4. Sunlight will be blocked for much of the day and it will remain in shadow. 5. The fences and hedges which currently provide privacy will cease to provide that function. 6. The upper windows of the proposed structure will have a direct line of sight down to the windows of the adjacent bungalow. 7. There can be no doubt that the value of this bungalow will be adversely affected. 8. The rebuild should be a bungalow not a house, in keeping with the existing environment.	The style of properties in the immediate surrounding vicinity are mixed, including bungalows, chalet style dwellings and two storey dwellings. The application is for a replacement dwelling in an established urban area. See section 7. See section 7. See section 7. See section 7. This is not a material planning consideration. See section 7.
I am writing in to endorse my protest. I will not accept that my house, where I have lived for 34 years can be overwhelmed by a planning application. This will be like a prison tower. You can take it from me ,at my age of 88, it is not going to happen. It is outrageous that some halfwit can do something like this to make a fast buck.	Noted.
I will not be accepting this nonsense. I have lived here for 34 years and I am not going to put up with a watch tower looming over me.	Noted. See section 7.
My previous comment of 14 May should read " must not happen " and not as written " will not happen" Please accept my apologies.	Noted.
As a local resident to the proposed development, I would like to object based on the following reasons - 1. Safety - The proposed development will have severe impact on the	Rose Hill is a privately owned road and the use and maintenance of this road is a

upadopted road called Rose Hill. The condition of the road, at present, whilst not ideal, further heavy use will only deteriorate it further. If this were to happen, it may result in the road itself being unusable, causing untold misery to the residents if this crucial infrastructure, which is a lifeline, were to be compromised. It is accessed every day by people who go to work, take children to school, palliative carers visiting elderly residents and a plethora of other people who require access to it. One of these groups of individuals are children who attend the local schools. They use the road as a "cut through" from their homes, as Rose Hill has 2 footpaths leading from it. They will be severely impacted and placed in danger with heavy duty vehicles coming up and down the road daily for an unknown period.	civil matter which would need to be resolved between the applicant and his neighbours.
2. Loss of quality of life - The noise and extra traffic will affect all residents, not only on Rose Hill, but the surrounding locality too. Everyone has the right to quality of life.	This is not a material planning consideration. Any excessive noise as a result of the implementation of any planning permission would be the subject of investigation by the Council's Environmental Health Section.
3. Loss of light - all the surrounding properties will be adversely affected, as the right to light will be deprived by the enormity of the proposed structure.	See section 7.
4. Loss of privacy - The proposed build will have direct view into the surrounding properties and gardens due to its location and imposing structure. Every resident has the right to privacy in their own homes and gardens.	See section 7.
5. The submitted plans are misleading - attention is drawn to the street view which is inaccurate. The proposed plans show there is a gap between the two adjacent properties, however, this is not the case. In the other drawings, the proposed build encompasses the borders on both sides.	See section 7.
6. Out of place - the proposed architecture is out-of-character with existing historical structures and could	See section 7.

negatively affect the charisma of the neighbourhood.	
7. Setting a precedence - Approval would create a precedent meaning that it would be difficult to object to similar proposals.	The application is for a replacement dwelling in an established urban area.
8. Environmental and associated health impact - The proposal will have a direct impact on the health of the residents nearby and on the environment, given the fact that the existing structure has asbestos.	This is not a material planning consideration. Demolition of any structure with asbestos is subject to strict guidelines. Further advice is available from the Council's Environmental Health Section.
Our main concern is about the demolition of the existing building. My wife has lived opposite since 1945 and I have lived here since 1960 during that time neither of us can recall seeing the removal of the asbestos only the pebble dashing of it. We assume that demolition will be carried out in a health and safety manner. Also we hope that bonfires will not be allowed on site and noise kept to a minimum.	This is not a material planning consideration. Demolition of any structure with asbestos is subject to strict guidelines. Further advice is available from the Council's Environmental Health Section. Any excessive noise as a result of the implementation of any planning permission would be the subject of investigation by the Council's Environmental Health Section.
Whilst improvement is needed to the current property, I agree with the previous comment that a bungalow would be a more suitable option. The position of the existing properties at the top of Rose Hill mean that any second floor windows (or skylight windows) on the proposed building will be in direct sight of these existing houses. At least two properties which are elevated above Little Foxes would have a direct line of sight into the proposed windows/skylights, something which is not currently an issue with the existing bungalow and would affect the privacy of both the proposed property, and existing homes. I would also like to question how the existing property would be demolished without access to Rose Hill being blocked? The current property is very close to the road and I can't see how it could be demolished without access to the road being cut off. There is no	See section 7. Rose Hill is a privately owned road and the use of this road is a civil matter which would need to be resolved between the applicant and his neighbours.

other vehicular access to Rose Hill and the residents need access at all times to all properties. Residents work shifts and some have daily carers which mean even with warning, the road cannot be blocked. Also, current on going building works at the top of Rose Hill have caused a serious deterioration to the road. Further building work with lorries and heavy building materials would make this situation worse. Would any provision be made for repairs to the road for any damage caused?	See section 7. Rose Hill is a privately owned road and the use of this road is a civil matter which would need to be resolved between the applicant and his neighbours.
The proposed house is out of character with the surrounding bungalows at the lower end of Rose Hill. The house will tower above existing bungalows. The upper windows of proposed house will have a direct line of view into the bedroom windows of existing properties in Frogmore Lane. This will impact on the privacy of home owners. The value of these houses will be adversely affected. The proposed house will effectively block out the view of surrounding trees for residents in Frogmore Lane. This will lower the quality of life for residents. The demolition and complete rebuilding of a new house will cause considerable noise and disruption for many months. Previous building at the top of Rose Hill was often carried out at the weekends and caused noise pollution to residents. Some residents work night shifts, the proposed development will cause very real problems with sleeping during daytime.	See section 7. See section 7. This is not a material planning consideration. See section 7. Any excessive noise as a result of the implementation of any planning permission would be the subject of investigation by the Council's Environmental Health Section.
The unadopted road known as Rose Hill, Waterloo, P08 9QU is a single track dead-end. Access is required for a further 8 dwellings beyond the intended development of Little Foxes' As discussed with Mrs Crawford on the telephone on the 3rd May, residents at	Rose Hill is a privately owned road and the use of this road is a civil matter which would need to be resolved between the applicant and his neighbours. See section 7.

the top end of Rose Hill have grave concerns about access during the development. Previous development (Claybank), on this road, saw heavy lorries blocking access for hours at a time with the developer taking no reasonable actions to alleviate this. It should be noted that there are infirm residents at the top end of the road who have a requirement for continual visits by carers, and occasionally ambulances, who need vehicular access at all times and we request that stipulation is made that the road is not blocked for other than very brief periods. There is an area at the bottom of the road that can be used for deliveries and waste removal that other developers have used without any problem. As you council takes no responsibility for the maintenance of Rose Hill, it is maintained at the expense of the residents who paid for the tarmacadam surface. As 'Claybank' was developed, considerable damage was inflicted on the road surface by heavy vehicles accessing, and parking, causing compression and cracking. The developer showed a marked reluctance to repair the damage until his own car started grounding due to the rutting. This is not acceptable and we require an assurance from the developer that any damage will be rapidly repaired.	See section 7. Rose Hill is a privately owned road and the use and maintenance of this road is a civil matter which would need to be resolved between the applicant and his neighbours. This letter was also received from another address.
The unadopted road known as Rose Hill, Waterloo, P08 9QU is a single track dead-end. Access is required for a further 8 dwellings beyond the intended development of Little Foxes As discussed with Mrs Crawford on the telephone on the 3rd May, residents at the top end of Rose Hill have grave concerns about access during the development. Previous development (Claybank), on this road, saw heavy lorries blocking access for hours at a	See previous comments.

time with the developer taking no reasonable actions to alleviate this. It should be noted that there are infirm residents at the top end of the road who have a requirement for continual visits by carers, and occasionally ambulances, who need vehicular access at all times and we request that stipulation is made that the road is not blocked for other than very brief periods. There is an area at the bottom of the road that can be used for deliveries and waste removal that other developers have used without any problem. As you council takes no responsibility for the maintenance of Rose Hill, it is maintained at the expense of the residents who paid for the tarmacadam surface. As 'Claybank' was developed, considerable damage was inflicted on the road surface by heavy vehicles accessing, and parking, causing compression and cracking. The developer showed a marked reluctance to repair the damage until his own car started grounding due to the rutting. This is not acceptable and we require an assurance from the developer that any damage will be rapidly repaired.	
If asbestos exists in the structure of the building to be demolished then I assume upmost care will be taken in its disposal. Little foxes is surrounded by houses and any asbestos dust created is very likely to enter these houses. Exposure to even the smallest amount of asbestos can be lethal and many young child live very close to the site. I trust only licensed asbestos removal contractors will be used. I also trust there will be monitoring of asbestos levels during demolition.	This is not a material planning consideration. Demolition of any structure with asbestos is subject to strict guidelines. Further advice is available from the Council's Environmental Health Section.
My wife and I object on the following grounds. - Building a house rather than a bungalow is out of keeping with the other properties up Rose Hill. - A house will impact on some of the existing houses on Frogmore Lane and	See section 7. See section 7.

Cricket Drive both in terms of privacy and outlook. - Concerns about the levels of disruption caused to access to Rose Hill and particularly health hazards, noise, dust, and asbestos removal. - A 4 bedroom detached house is not in keeping with the nature of the environment - nor will it look appropriate.	Rose Hill is a privately owned road and the use and maintenance of this road is a civil matter which would need to be resolved between the applicant and his neighbours. See section 7.
I find the revised location plan and certificate somewhat confusing. The owner/developer now appears to be claiming ownership of the road itself, something which did not appear in the original plans submitted. After dealing with solicitors and the council when purchasing a house on Rose Hill, I was informed that the road of Rose Hill itself, does NOT belong to the property owners. I was even given a document which allows permission to access the property from the unknown owner of Rose Hill. If the owner/developer believe they own the road, surely all properties from the very top of Rose Hill would be equal owners (not just the few named in the revised certificate) as they also have to access the road outside Little Foxes to reach their own properties? It seems very strange to have two location plans within the same planning permission claiming different land owned. I would like to know why the owner/developer has now claimed ownership and would ask them to question whether their information is correct.	As Rose Hill is privately owned, the red line on the location plan was extended to include access to the adopted highway - Forgmere Lane. The appropriate ownership certificate has subsequently been submitted and notice served on the owners of this part of Rose Hill from which the site is accessed. The revised location plan superseded the location plan originally submitted.
1. I am writing to stress the impact that approval of this application will have on the lives of my wife and I. 2. Our bungalow will be cast into shadow and our privacy obliterated. We have lived here for 34 years with sunlight streaming through the windows and total seclusion. All this will go. 3. The amended drawings do nothing to alleviate this overwhelming encroachment. It's obvious that it	See section 7. See section 7

would be impossible to build it any closer. It will be a carbuncle in an avenue of bungalows.	
My mother (who is registered partially sighted and has arthritis) and I live in a property coming into Rose Hill. As previously state Rose Hill is unadopted and the first part of the lane is in particularly bad repair and has been for the past 32 years that my mother has lived here. My father when he was alive, used to try to fill pot holes as often as possible in the lane with scalping and rubble when it was available. We feel that the traffic that will be need to demolish and re build at Little Foxes will cause even further damage to the lane. My mother is unable to walk the lane unassisted anymore and I can only see this getting worse. Because the lane is not tarmac (it is loose stone) the dust and or mud created by excess and heavy traffic using the lane will be detrimental. The nature of the lane access would not be suitable for more traffic than is currently used.	Rose Hill is a privately owned road and the use and maintenance of this road is a civil matter which would need to be resolved between the applicant and his neighbours.
We will not accept that a monolith is going to be erected over our house. As we are both in our eighties we are not prepared to see these halfwits take us to the cleaners We will not tolerate a carbuncle built above our house, we will die first. We have paid rates/council tax for over 55 years in this borough. Since we have supported you it is now time for you to support honest Genuine citizens.	Noted.
I object to this amended planning application. The proposed dwelling will be an eye sore. It is totally out of keeping with the neighbourhood and environment. I have lived in Cricket Drive for 35 years and think that this proposed development will be severely detrimental to the natural landscape. It will have a negative impact on wildlife with the loss of trees and other vegetation so essential to our insect	See section 7. The Council's Arboriculturalist has no objection to the proposal.

and other wildlife. It will destroy both the reality and feeling of space which currently exists between properties on Rose Hill, and would be a dangerous precedent to set regarding future developments. Please seriously re-consider this proposal which risks destroying a very attractive area.	The application is for a replacement dwelling in an established urban area.
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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 upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Highways and parking
- (v) Developer contributions

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Appropriateness of design and impact upon the character and appearance of the area

7.3 The proposal is for the construction of a four bedroom chalet style detached property and integral garage to replace the existing detached bungalow which is currently vacant. The site is accessed via Rose Hill which is unadopted and the front elevation of the new property will be situated approximately 7 metres from this access and in excess of 55 metres from Frogmore Lane and is therefore unlikely to be visible from the public realm. There is an west/east incline to Rose Hill and it is noted the site is at a lower level than the adjoining neighbouring properties to the east.

7.4 The proposal comprises a detached chalet style dwelling with accommodation in the roof including a dormer to the western elevation, together with a single storey element to the rear of the property. The roof of the existing property is pitched with a flat roofed single storey rear extension. The approximate height of this roof is 2.5 metres to the eaves and 4.2 metres to the ridge. Whilst it is acknowledged there is a perceptible increase in the height of the new property to provide accommodation within the roof space, the new dwelling is not considered to be a traditional two storey dwelling. Furthermore the existing dwelling is subservient in the street scene in relation to neighbouring properties and it is noted the property to the east is of a similar design to the proposal.

7.5 Officer concerns were raised with the originally submitted scheme regarding the potential impact on the adjacent properties to the east and west with respect to siting, overbearing, the mass of the roof, proximity to the site boundaries and overlooking. Following discussion with the agent, amended plans were submitted and accepted on 7 June.

- 7.6 The revisions to the proposal are the re-siting of the property approximately 5.5 metres closer to the front boundary, the removal of the car port to the front, a slight reduction in the eaves height, the removal of one of the dormers and the introduction of a single storey section to the rear.
- 7.7 The amended scheme has the same maximum ridge height of 6.2 metres and a greater depth of approximately 4.2 metres than the original proposal. However, there is a 4.4 metre reduction in the section of the building with the 6.2 metre high ridge height, which reduces to 4.5 metres to the front projection and 3.5 metres to the rear single storey section. It is considered these changes address the concerns previously raised, mitigating the impact on the properties to the east and west of the site.
- 7.8 The proposed new dwelling is of a reasonable size, situated on a plot of generous depth, but of a fairly limited width. The new property would retain a minimum distance of 1 metre to the eastern and western boundaries, and it is noted the height differences between the descending properties is similar. The properties in Rose Hill are of a mixed design with no regular building line or uniformity in the street scene and it is therefore considered the replacement property would not significantly adversely affect the character of the area or street scene sufficiently to warrant a defensible reason for refusal.
- 7.9 Due to the depth of the site, there would be the provision of sufficient rear amenity space for the new dwelling, with a depth in excess of 25 metres. It would also provide parking in accordance with the Council's adopted standards for a four bedroom house. Overall therefore the scheme would not result in a cramped and congested layout, being able to provide adequate amenity space and parking provision.
- 7.10 The revised design and appearance of the proposal is deemed appropriate in context and is therefore judged to be acceptable, meeting the requirements of policy CS16 of the HBLP (Core Strategy). It is considered that the proposal would not result in a harmful impact on the visual amenity of the locality.

(iii) Impact upon residential amenity

- 7.11 Impact on Casarina, Rose Hill
The eastern boundary of this property is adjacent to Little Foxes and runs the full length of the site. There would be a minimum distance of 1 metre from the western elevation of the property to this boundary, with the eastern elevation of Casarina 0.4 metres away from this boundary. Although there is a west/east incline to Rose Hill, this property is at a similar level to the application site.
- 7.12 The replacement dwelling is situated approximately 4.2 metres beyond the front elevation of Casarina and its siting could be considered to lead to a loss of light to the front window of this property. A 45 degree angle test was carried out as recommended in the Havant Borough Council Borough Design Guide SPD, which verified the proposed dwelling falls outside the overshadowing zone of the front windows of this property. Furthermore, the existing property projects approximately 5.9 metres beyond the front elevation of the replacement dwelling. It is therefore considered a reasonable outlook would be retained from the closest neighbouring windows at this property.
- 7.13 Regarding potential loss of light to the rooms on the eastern elevation of this property, there are currently windows serving the bathroom, kitchen and conservatory. The bathroom window would be opposite a window of a modest size serving the

kitchen/dining room. This part of the new property is set away from the eastern boundary, resulting in a distance of 3.5 metres between the side elevations of the two properties. Furthermore, bathroom windows are deemed to be secondary and any impact would not be unacceptable. The kitchen and conservatory windows would be opposite the single storey element of the new property which has no side windows and a shallow pitched roof to a modest height of 3.5 metres with three roof lights in the western roof slope. This part of the property is further stepped in from the boundary and there would be a maximum distance of 4 metres between the side elevations of the two properties. The eaves height of this part of the property is approximately 0.2 metres higher than the permitted height of a boundary wall, and it is considered that this, together with the 4 metre distance and shallow pitch of the roof would limit any loss of light to these windows and reduce the perception of the property being overbearing.

7.14 The rear elevation of the new property does not project beyond the rear elevation of this property and it is therefore considered a reasonable outlook would be maintained with no loss of light. There is a window in the southern gable end of the new property which is approximately 6.4 metres back from the rear elevation of Casarina and whilst it is accepted this would result in a degree of overlooking, the impact is not considered so great as to constitute a defensible reason for refusal.

7.15 There is a roof light and a side dormer with a modest window in the western roof slope elevation. The dormer is set in from the roof edge, set down from the ridge and the southern edge of the dormer is approximately 10.9 metres back from the rear elevation of Casarina. Consequently it is considered the dormer is situated far enough away to limit any additional overlooking. The rooflight is to serve an en-suite and any overlooking would be to the front of the property which is not considered to be the primary amenity area, therefore any perception of loss of privacy would not be unacceptable. The impact is therefore considered to be acceptable in planning terms.

7.16 Impact on Claybank, Rose Hill

The western boundary of this property is adjacent to Little Foxes and runs for a distance of approximately 27 metres along the length of the site. There would be a minimum distance of 1 metre from the eastern elevation of the property to this boundary, with the western elevation of Claybank a further 2 metres from this boundary. This property is situated at a notably higher level than the application site.

7.17 The replacement dwelling is situated approximately 3 metres beyond the front elevation of Claybank and its siting could be considered to lead to a loss of light to the front window of this property. A 45 degree angle test was carried out as recommended in the Havant Borough Council Borough Design Guide SPD, which verified the proposed dwelling falls outside the overshadowing zone of the front windows of this property. It is therefore considered a reasonable outlook would be retained from the closest neighbouring windows at this property.

7.18 There is one small window and a door on the western elevation of this property, although due to the difference in levels between this property and the application site these would be opposite the roof slope of the new dwelling. There are three high level roof lights in the eastern roof slope serving a bathroom, landing and en-suite. In order to protect the amenities of this neighbouring property, a condition is recommended for these windows to be obscure-glazed. In addition there are three roof lights in the eastern roof slope of the single storey element of the new dwelling serving the lounge,

although it is considered these would not give rise to any overlooking or loss of privacy and consequently not have an adverse impact on this property.

7.19 With respect to the perception of the new dwelling being overbearing to the rear amenity area of Claybank, amendments to the proposal are such that the single storey element of the new dwelling would run along the greater part of the boundary adjacent to the rear garden of this property. Whilst the single storey element extends approximately 2.6 metres beyond the rear elevation of the existing annexe situated to the rear of the existing property, it is of a comparable height and further away from the boundary. It is therefore judged any loss of outlook from the rear garden of Claybank would not be unacceptable.

7.20 There could be the perception of overlooking and loss of privacy from the first floor gable window in the southern elevation of the new dwelling. However, due to the site levels and relationship between the two properties whilst it is accepted this could result in a degree of overlooking, the impact is not considered so great as to constitute a defensible reason for refusal. The impact is therefore considered to be acceptable in planning terms.

7.21 Impact on Estancia and Peel Cottage, Rose Hill

These properties are situated further east of the application site and south of the property at Claybank and are at a significantly higher level than the application site. The rear boundaries of these properties intersect with the eastern boundary of the site. The rear elevation of Estancia is 25 metres away from this boundary and the rear elevation of Peel Cottage 20 metres.

7.22 The single storey element of the new dwelling would project 2 metres along the rear boundary of Estancia. However, it is of a modest height, 1.6 metres from the boundary and a sufficient distance away for any resulting impact to be negligible.

7.23 The rear elevation of the new dwelling is approximately 17 metres from the intersection with the southern boundary of Peel Cottage and it is therefore deemed any impact from the new dwelling would be minimal. The impact is therefore considered to be acceptable in planning terms.

7.24 Impact on The Woodlands, Rose Hill and 11 Rose Hill

These properties are opposite the application site and the front elevation of the new dwelling is set back 7 metres from Rose Hill. The front elevation of number 11 is 12 metres from the road and is at a similar level to the application site and the front elevation of The Woodlands is approximately 7 metres from the road and is situated high than the application site. The application site is situated such that it is directly opposite part of the garden of The Woodlands. It is therefore considered the new dwelling would not be overbearing to these properties or result in any overlooking or loss of privacy. The impact is therefore considered to be acceptable in planning terms.

7.25 Impact on 5 Cricket Drive

The northern boundary of this property intersects the rear elevation of the application site with the property situated a further 5 metres back. There is a distance in excess of 30 metres from the window in the proposed rear gable and the side elevation of this property which meets the 24 metre distance recommended in the Havant Borough

Council Design Guide SPD and it is judged this window would not result in overlooking or loss of privacy to this property. The impact is therefore considered to be acceptable in planning terms.

- 7.26 Taking all these factors together subject to suitable conditions, to include removing permitted development rights it is considered that the proposed development would not have a significant adverse impact on the amenities of neighbouring properties with regard to loss of sunlight/daylight, overlooking or overbearing impact. The development would therefore comply with policy CS16 of the Core Strategy, the Design SPD and the NPPF.

(iv) Highways and parking

- 7.27 There are four bedrooms proposed in the property, subsequently there will be a requirement for three on site parking spaces as recommended in the HBC Parking SPD (July 2016). The proposal includes an integral garage and there is sufficient provision for an additional two spaces to the front of the property. Conditions are recommended restricting the conversion of the garage and prior to the development being brought into use for an additional two parking spaces to be provided and retained.

- 7.28 Concerns have been raised regarding the limited access to the application site and potential issues arising due to the demolition of the existing property and implementation of any planning permission granted. A condition is recommended that prior to the commencement of any works, details are to be submitted specifying the provision to be made within the site for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site.

(v) Developer contributions

- 7.29 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20 February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Waterlooville.

- 7.30 The construction of the replacement dwelling would result in additional floorspace to that of the existing property which is Community Infrastructure Levy (CIL) liable and the appropriate forms have been submitted. The gross new added internal floor space for the dwelling has been calculated by the agent as 78.12 sqm which generates a total CIL liability of approximately £8,732.70. It is noted that self build exemption has not been claimed in relation to the development.

- 7.31 The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. Natural England's advice regarding all new housing development within 5.6 km of the boundaries of the Solent SPA is that there is likely to be a significant effect on the SPA. Policy DM24 of the Allocations Plan, covers this issue and allows for a financial contribution to be made towards mitigation measures for every net additional dwelling

within this zone. However, the proposal is for the construction of a replacement dwelling following the demolition of the existing property and as such a SRMS financial contribution is not payable in this instance. The proposal therefore accords with Policies CS11, CS21 (Developer Contributions) and DM24.

8 Conclusion

- 8.1 Taking into consideration the revisions submitted, the proposal for the replacement dwelling is considered to be acceptable and based on the planning considerations discussed above in this report, is recommended for approval.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00364 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 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 No development shall take place until finished floor levels for the proposed building(s) relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.
- 4 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.
Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and

having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No development hereby permitted shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11.1, CS11.2, CS11.4, CS12, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policies CS11.1, CS11.4, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 No development hereby permitted nor any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 8 The garage hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation.

Reason: To ensure the retention of adequate on-site car parking in accordance with the standards adopted in the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and to discourage parking on the adjoining highway in the interests of highway safety

/ local amenity and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 9 The development shall not be brought into use until a minimum of 2 parking spaces have been provided within the curtilage of the site (excluding the garage) and thereafter all of those spaces kept available for such purposes.
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 2018.
- 10 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the windows in the roof slope on the eastern elevation shall be fitted with, textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 11 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order, no extension or outbuilding permitted by Classes A, B, C, D or E of Part 1 of Schedule 2 to the 2015 Order (as amended) shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.
Reason: To protect the amenity of the area and to secure satisfactory levels of private amenity space for future residents and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 12 The development hereby permitted shall be carried out in accordance with the following approved plans:
Drg no. P 298/1A Location plan
Drg no. P 298/2 Rev B Proposed site plan
Drg no. P 298/3 Existing elevations plan
Drg no. P 298/4 Rev B Proposed floor plans
Drg no. P 298/5 Rev B Proposed elevations plan
Drg no. P 298/6 Rev B Proposed street scene plan
Drg no. P 298/7 Rev A Proposed cross section plan
Reason: - To ensure provision of a satisfactory development.