

Recommendation: **GRANT PERMISSION**

02/53941/003 - Crown lift to Beech tree (T2) subject to TPO 1274., PERM,12/11/2002
96/53941/001 - To take down 5 No. defective chimney stacks to roof level and rebuild to match existing, PERM,21/10/1996
96/53941/002 - Take down 5 no defective chimney stacks to roof level and rebuild to match existing, PERM,21/10/1996
07/53941/006 - Listed Building Application for internal restructure of part roof and realignment of external supporting wall., PERM,05/04/2007
07/53941/007 - Tree Works., UNK,
07/53941/008 - Application for crown lift to 4 metres and 30% crown reduction to 3No. Common Yews (T3, T4 and T5) subject to TPO 1274., PERM,14/06/2007
APP/17/01009 - Subdivision of plot to provide a further single 2-bedroom dwelling with access from London Road., PERM,08/01/2018
APP/17/01010 - Listed Building Consent for subdivision of plot to provide a further single 2-bedroom dwelling with access from London Road., PERM,08/01/2018
APP/18/00368 - Conversion of garage to 1bed granny annex, ancillary to main house. PERM,25/05/2018
APP/18/00369 - Listed Building Consent for conversion of garage to 1bed granny annex, ancillary to main house. , WD,29/05/2018
APP/18/01302 - Application for non-material amendment to Planning Permission APP/17/01009 relating to garage conversion to habitable room, alteration to position of conservatory and window, additional ground floor window to north elevation..
REF,14/01/2019

3 Proposal

- 3.1 The application is for the variation of Condition 2 of Planning Permission APP/17/01009 relating to amendment to approved drawings; variation of Condition 6 of Planning Permission APP/17/01009 relating to amended car parking strategy.

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)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Natural England

No objection, subject to securing mitigation

Solent Recreation Mitigation Strategy – no objection subject to condition

This application is within 5.6km of Chichester and Langstone Harbours SPA and will lead to a net increase in residential accommodation. Natural England is aware that Havant Borough Council has adopted a planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP). The Appropriate Assessment has taken this into consideration, therefore, providing the appropriate mitigation is secured by any approval, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site, and has no objection to this aspect of the application.

Nutrient neutrality – no objection

The Appropriate Assessment has considered the potential for impacts on the Solent

European Designated sites and concluded that, as there will be no increase in dwellings proposed, there will be no potential impact. Natural England are satisfied that there are no potential adverse effects of the development on the integrity of the European site, and has no objection to this aspect of the application.

Officer comment: The unilateral undertaking and appropriate financial contribution have been received from the applicant.

Ancient Monuments Society, St Ann's Vestry Hall

No comments received.

Arboriculturalist, Havant Borough Council

No objection.

Conservation Officer, Development Control

No comments received.

Council for British Archaeology, St Mary's House

No comments received.

Georgian Group, 6 Fitzroy Square

No comments received.

Historic England, South East

No comments received.

Society for the Protection of Ancient Buildings (SPAB), 37 Spital Square

No comments received.

Twentieth Century Society, 70 Cowcross Street

No comments received.

Victorian Society, 1 Priory Gardens

No comments 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: 6

Number of site notices: 1

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) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Car parking and highway issues
- (v) 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. The principle of the additional dwelling is already approved and this application is submitted as a Section 73 application to vary the approved plans to reposition the conservatory, change the ground floor window in the eastern elevation, add a small ground floor window in the southern elevation, revise the internal layout, convert the garage to habitable accommodation and amend the parking plan to reflect the garage conversion.

(ii) Impact upon the character and appearance of the area

- 7.3 The proposals are for minor changes to the scheme approved under APP/17/01009 to reposition the conservatory/dining room 0.9 metres to the north, change the ground floor window in the eastern elevation, add a small ground floor window in the southern elevation, revise the internal layout, convert the garage to a bedroom and amend the parking plan to reflect the garage conversion. It is considered the revision will not materially affect the character and appearance of the area. The site is large enough to accommodate the two on site parking spaces to the front and side of the property.

- 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) Impact upon residential amenity

- 7.5 Although the northern elevation of the conservatory/dining room would be approximately 0.9 metres closer to the shared boundary with number 108, there are no doors or windows in this elevation. Furthermore, there is a distance of 2.7 metres to the boundary from this elevation.

- 7.6 On balance, it is considered that the proposed changes are unlikely to appear overbearing or result in any significant loss of light and would have limited and acceptable impact on the properties immediately adjacent to the application site, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the revised scheme.

(iv) Car parking and highway issues

- 7.7 Part of the proposal is to convert the garage to provide an additional bedroom, which would result in the loss of a parking space, subsequently there will be a requirement for two on site parking spaces as recommended in the HBC Parking SPD (July 2016). The submitted amended plan meets these requirements.

(v) Contributions

- 7.8 There is no increase in the amount of floorspace from the application permitted under APP/17/01009, therefore no additional CIL payment is applicable in this instance.
- 7.9 This development would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have 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.
- 7.10 Whilst a contribution of £210 was paid with the original application, on 1st April 2018, the ('Definitive') Solent Recreation Mitigation Strategy replaced the 'Interim' and the 'Definitive' Strategy now applies to new residential development (this was as approved by Havant Borough Councils Cabinet on the 7th February 2018.) The updated Strategy uses a sliding scale to calculate the SRMS contribution for new residential development built within 5.6km of the coastline. As such, the contribution is now calculated based on the number of bedrooms per individual dwelling. In this case, the three bedroom dwelling would require a payment of £705.65. A credit was given in respect of the fee paid under APP/17/01009 of £190.00 (£210.00 less the admin fee of £20.00). Therefore, the balance due is £515.65. This was received by the Local Planning Authority on 12 April 2019, the proposal therefore accords with Policies CS11, CS21 (Developer Contributions) and DM24.

8 Conclusion

- 8.1 It is considered that the proposed amendments would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval. As a Section 73 application the original conditions are repeated.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00142 subject to the following conditions

- 1 The development must be begun not later than the 8th January 2021.
Reason: To comply with the requirements of Sections 73 and 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:

Arboricultural Method Statement
Design and Access Statement

Heritage Statement
Amended site plan - DN: C3260-02 Rev E
Bungalow Images
Proposed Floor Plans - DN: C3260-03 Rev F
Proposed Elevations - DN: C3260-04 Rev C

Reason: - To ensure provision of a satisfactory development.

- 3 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.
- 4 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the locality and occupiers of the neighbouring property and having due regard to policy CS16 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 2018.

- 6 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

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.

- 7 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 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.

- 8 The development hereby permitted shall not commence until a fully annotated plan at a scale suitable to clearly show the required level of detail in relation to the following matters has been submitted to and approved in writing by the Local Planning Authority:

1. hard surfacing material type / product reference and colour,
2. laying bond, edging or threshold detail/type
3. cross section drawings to show construction detailing within the Root Protection Area (RPA) of existing trees,
4. details of finished ground levels within RPA's of existing trees,

The development hereby permitted shall not be occupied until the implementation of all such hard surfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and the protection of on site trees and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 9 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order, no extension or outbuilding permitted by Classes A 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 2018.

- 10 Details of the siting and design of any proposed external meter boxes/metal ducting flues, shall be submitted to and approved in writing by the Local

Planning Authority prior to the commencement of development. All work shall be carried out in full accordance with such approval.

Reason: to protect the character and appearance of the adjacent listed building and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the NPPF 2018.

- 11 No above ground work shall commence until manufacturers details of the proposed windows and doors have been submitted and approved in writing by the local planning authority. The window details to comprise:-

a) a 1:20 plan, section and elevation shown in relation to the opening into which it

is to be set,

b) full size glazing bar section,

c) the method of opening and external finishes.

All work shall be carried out in full accordance with such approval and be retained thereafter.

Reason: To ensure the detailing is appropriate to the setting of the adjacent listed building 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.

- 12 The development hereby approved shall be carried out in strict accordance with the Tree Report prepared by James Fuller Arboriculture July 2017.

Reason: To ensure the protection of on site protected trees and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.