
Site Address:	15 Horndean Road, Emsworth, PO10 7PT		
Proposal:	Erection of a 2 bed detached chalet bungalow to rear of existing property. (Revised application).		
Application No:	APP/18/00613	Expiry Date:	17/08/2018
Applicant:	Mr & Ms Melbert and Curtis		
Agent:	Miss Bartlett	Case Officer:	Emma Chisnall
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is backland development positioned to the south west and behind No 15 Horndean Road. No 15 is at the southern end of Horndean Road and has the Emsworth recreation ground to the south, residential housing to the north in the form of detached bungalow and chalet bungalow dwellings and St James Primary School is positioned to the east.
- 1.2 The application site is situated in a generously sized plot with a site to the north which has been identified as a strategic site as part of the Havant Borough Local Plan which has commenced. The new dwelling is proposed to be accessed via a side road along the south elevation of No 15 which then joins Horndean Road. The site is surrounded with sufficient screening in the form of No 15 from the east, high level hedging and mature trees along the south and west boundary and timber fencing approximately 1.8m high along the north curtilage boundary.
- 1.3 The land is level and the surrounding area is residential in character featuring typically detached chalet style bungalow and bungalow dwellings to the north.

2 Planning History

APP/17/00569 - Erection of a two bedroom bungalow with timber weatherboarding to rear of existing property with associated car parking and access. , PERM,27/07/2017

APP/17/00577 - Loft conversion incorporating roof extension; Rear extension, PERM,28/07/2017

APP/17/00943 - Variation of Condition 2 of Planning Permission APP/17/00569 to vary approved plans to vary internal layout, creation of first floor level, fenestration alterations/additions, raise ridge height and to partially enclose porch., PERM,25/10/2017

3 Proposal

- 3.1 Erection of a 2 bed detached chalet bungalow to rear of existing property. (Revised application).

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
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

As per our conversation the arb report and tree protection plan needs to be updated to reflect the proposed changes to the footprint of the building. This needs to be a pre commencement condition.

Officer Comment: With agreement from the agent this shall be included as a condition with the decision.

Building Control, Havant Borough Council

Fire Authority access to comply with AD B 5. Building Regulation application will be required for this work

County Ecologist

Thank you for consulting me on this revised application. In summary, the submitted information is satisfactory.

The application is accompanied by a Preliminary Ecological Appraisal (the Ecology Partnership, May 2017) which provides a useful assessment of this typical garden site. The site is of limited ecological interest, containing garden structures, hardstanding, managed lawns and ornamental plantings with taller boundary vegetation including trees and a hedgerow. The site is considered to offer minimal potential for supporting protected species. The proposal will require a contribution towards the Solent Recreation Mitigation Partnership (SRMP).

The site is immediately adjacent to Land West of Emsworth Recreation Ground Site of Importance for Nature Conservation (SINC). It is considered that the proposal would not result in any impacts to this grassland site.

If you are minded to grant permission, can I suggest that ecological mitigation and enhancement measures are secured by condition.

Development shall proceed in accordance with the ecological mitigation and enhancement measures detailed within the Preliminary Ecological Appraisal (the

Ecology Partnership, May 2017) unless agreed in writing by the Local Planning Authority. Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority. Reason: to provide ecological protection and enhancement in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Officer Comment: A condition shall be included with the decision.

Hampshire Constabulary

No comment

Hampshire County Council, County Minerals

No comment

Hampshire Fire and Rescue Service

No comment

Highways Engineer, Development Engineer

The planning states that permission was given under 17/00943. I cannot find this application. However my previous comments on 17/00569 stated This application has no new access to a highway and therefore should be dealt with by the Planning Authority using standard Highway Guidance. However I would suggest that that the layout of the parking and turning spaces shown on the submitted (which allows vehicles to turn on site and enter the highway in a forward gear), is conditioned. Reviewing this current application It is difficult to ascertain the width of the drive if the hedge is to be retained and it appears that there will need to be modification to the existing dropped kerb and this is not detailed on the plan.

Officer Comment: A condition shall be included as part of the decision.

Natural England Government Team

No objection subject to appropriate mitigation being secured

Waste Strategy Team Leader

We just need to ensure waste bins are presented at the boundary of the highway for this new property as part of this planning application thank you.

Officer Comment: An informative shall be included with the decision

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: 4

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) Residential amenities of the proposed dwelling
- (v) Highways
- (vi) Ecology
- (vii) Habitats Regulations Assessment (HRA)/Developer Contributions/CIL
- (viii) Trees

(i) Principle of development

7.2 The application site is situated within an urban area as defined by CS17 where further development is considered acceptable subject to the usual development control criteria. Therefore the principal for the additional dwelling is acceptable.

7.3 The land to the rear of No 15 has been included in the Borough's housing provision and is an identified strategic site. This application has since been submitted, approved and has begun development. It is acknowledged that the boundary of this strategic site sits to the north of No 15 and as such the proposed application for the dwellinghouse is considered to not result in an adverse impact and in principle is considered to be acceptable.

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

7.4 The application site has had previous permissions and variations and now seeks a new full planning permission for an amended proposal for a two bedroom chalet bungalow within the rear amenity space of No 15. The alterations include a first floor and rear dormer to give the appearance of a chalet bungalow to the rear, revised fenestration and larger footprint providing additional room.

7.5 The proposed dwellinghouse is considered to be modest in size and shall be to a height previously permitted of 5.8m which is in keeping to the neighbouring dwelling heights within Horndean Road. Due to the design of the dwellinghouse it shall appear as a bungalow to the front east and a chalet bungalow to the rear west thereby maintaining its bungalow appearance from Horndean Road which is considered to suite and fit in with the design of the neighbouring dwellings which are typically bungalow/chalet bungalow design. Due to being in the backland of No 15 the works are also screened in the majority by the existing dwellinghouse which coupled with the mature tree line to the south and other boundaries in place is considered to ensure that the works do not appear dominant, obtrusive or appear out of keeping to the area.

7.6 The proposal is considered to be of a sound design and the works are set off the shared neighbouring boundaries by approximately 1m which complies with the Borough's Design Guide. The separation distance from the new dwelling to No 15 is 20m and both the new dwelling and No 15 shall retain an amenity space approximately 10m deep which also accords with guidance stipulated in the Borough Design Guide. These separations would retain a spacious and proportionate setting to the site ensuring that the works accord and are compliant with policy CS16.

7.7 The new dwellinghouse is proposed to be built with a mixture of Sussex clay brick plinth with timber weatherboarding. Following a site visit and assessment it is considered that the proposed materials would not result in a significantly dominant nor obtrusive visual appearance in the streetscene and would suit the palette of the locality ensuring that the new dwelling would not look out of context. However to ensure that the colours and finishes are appropriate within Horndean Road a condition shall be included with the decision for samples and specifications to be submitted to the Local Planning Authority

for approval.

(iii) Impact upon residential amenity

- 7.8 The proposed site has a residential dwelling to the east, No 15 Horndean Road and a neighbouring dwelling to North, No 17 Horndean Road. These are the dwellinghouses most likely to be impacted by the proposed development as to the south and west of the application site there is no development.
- 7.9 No 15 is the existing dwelling on site. There is a 20m distance proposed between both No 15 and the dwellinghouse which accords with the Borough Design Guide to ensure that over-looking does not occur from first floor windows. With this new application a first floor is proposed to provide a bedroom, ensuite and landing area. Windows are not proposed within the front elevation at first floor and therefore privacy levels are considered to be retained between the dwellings. Three small windows are proposed within the front elevation of the proposed dwellinghouse at ground floor which face No 15. However taking into account the 20m distance between the dwellings and the screening between them the impact caused by the windows are considered to be limited and acceptable.
- 7.10 No 15 would retain an acceptable external amenity space with a rear garden of approximately 10m deep with two car parking spaces to the front. There would be an impact for the proposed access in terms of vehicular movements/disturbance, however, on balance and given the limited use of the proposed access associated with one dwelling to the rear it is not considered that a refusal of planning permission based on this additional impact could be sustained.
- 7.11 No 17 is the dwellinghouse to the north which is positioned in line with No 15 and is therefore substantially forward in its plot when compared to the proposed new dwellinghouse. It is considered that due this distance between the neighbouring dwellings that the new proposed dwelling would not lead to a significant loss of outlook at No 17. Although the new dwelling and proposed dormer window in the rear elevation at first floor has the potential to cause over-looking into private amenity space of No 17 this impact is reduced due to the orientation of the proposed dwelling and that a view shall be directed west of the site and into the rear amenity space of the new dwelling and not No 17. A modestly sized single window is proposed at high level in the north and south first floor side elevation of the new dwelling. The north window which shall over-look No 17 has been proposed and annotated on the submitted plans to be fitted with obscure glass and only openable above 1.7m above the proposed finished floor level. A condition shall be included with the decision to ensure that the works are carried out in accordance with this which is considered to satisfactorily address the concern raised and maintain privacy levels between the dwellings.
- 7.12 In order to ensure that no roof alterations and subsequent windows are installed on the property, a condition removing permitted development rights is included, this would ensure that the LPA retain control over development on this site.
- 7.13 Closed timber fencing and hedging have been suggested as screening to be used between the new dwelling and No 17 and the new dwelling and No 15 however it is unclear from the information submitted where this shall be placed and to what height and therefore details of the screening proposed shall be requested as a condition with the decision to ensure sufficient screening barriers are implemented between the new dwelling and neighbouring properties.

(iv) Residential amenities of the proposed dwelling

- 7.14 The layout shows how the site would be laid out and includes two parking spaces. An

average garden depth of 10m with an average width of 12.8m is provided which complies with the Boroughs Design Guide and is considered to be an appropriate size. As the first new dwelling in backland along Horndean Road the dwellinghouse shall not be over-looked as a result however even should further development occur in the future the dwellinghouse is set away from the shared boundary to the north by approximately 1m. Therefore overall it is considered that the impact on the development is acceptable in terms of the amenities of future residents.

(v) Highways

- 7.15 Both the new dwelling and No 15 Horndean Road would retain two parking spaces each with a turning circle in place for vehicles to exit the site onto Horndean Road in a forward gear. The highway authority have been consulted and no objections have been raised however it has been requested that this is conditioned to ensure the works are carried out in accordance with the plan submitted. This shall be conditioned as part of the decision.

(vi) Ecology

- 7.16 The County Ecologist has been consulted and has raised no objections to the new proposal. A condition has been requested to be included with the decision to ensure that all ecological mitigation and enhancement measures are carried out as per the Preliminary Ecological Appraisal. This shall be included as part of the decision.

(vii) Habitats Regulations Assessment (HRA)/Developer Contributions/CIL

- 7.17 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. This is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on Chichester and Langstone Harbours Special Protection Area due to the increase in recreation as a result of the development. The planning application was then subject to an Appropriate Assessment under Regulation 63.

This assessment included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy and the applicant indicated a willingness to enter into a legal agreement to secure the mitigation package. The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has entered into the legal agreement to secure the mitigation package and paid the relevant contribution comprising a contribution towards the SRMS totalling £531.35. The relevant contribution has been paid under the previous application and as such, has been transferred to this application. A new deed has been signed and submitted as part of the application.

- 7.18 The application is liable to pay the Community Infrastructure Levy a total of £14,061.88 and the relevant forms have been sent including a draft liability notice. The applicants wish to apply for self-build relief from this payment and have completed the necessary forms that will ensure that relief is given to the CIL payment which does not need to be made.

(viii) Trees

- 7.19 The Arboricultural Officer has been consulted in relation to the new proposal and has raised a concern that the submitted documents do not reflect the proposed footprint of

the new dwellinghouse. Therefore the submitted documents in the form of a Tree Protection Plan, Arboricultural Method Statement and Arboricultural Impact Assessment shall be requested to be updated/submitted to the Local Planning Authority for approval prior to development commencing onsite. This is considered to satisfactorily address the concern raised.

8 Conclusion

- 8.1 The proposed scheme for an additional dwelling in the rear amenity space of No 15 and with appropriate conditions will not give rise to any undue amenity space issues and is acceptable in highway terms. The proposal is therefore considered to accord with the relevant Local Plan and Allocations Plan policies and the guidance set out in the Borough Design Guide SPD, Parking SPD and the NPPF. The application is therefore recommended for permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00613 subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of the previous permission granted under APP/17/00569 dated 27th July 2017 .

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:

Location Plan: Received 13.06.2018

Planning Statement: Received 13.06.2018

Proposed Location, Floor and Elevation Plan: Drawing No 1156.01.d

Proposed Site and Section Plan: Drawing No 1156.02.a

Ecological Appraisal: Received 20.06.2018

Land ownership plan: Received 13.06.2018

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building alteration, means of enclosure or windows (including within the roof) shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: In the interests of the amenities of the neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No development work shall commence until a Tree Protection Plan, Arboricultural Impact Assessment and Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority outlining the position of the mature trees onsite and the mitigation measures to ensure their protection prior and during the development work. All such approved measures shall be carried out throughout the period of construction

activity at the site.

Reason: To secure the conservation and enhancement of existing natural features and having due regard to Policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011.

- 5 The development shall proceed in accordance with the ecological mitigation and enhancement measures detailed within the Preliminary Ecological Appraisal (the Ecology Partnership, June 2018) unless agreed in writing by the Local Planning Authority. Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011 and National Planning Policy Framework 2012.
- 6 The car parking, servicing and other vehicular access arrangements shown on the approved plans Drawing No 1156.02.a to serve the existing dwelling and 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 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 neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 8 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: 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
- 9 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

- 10 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and/or a further 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.

- 11 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, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 12 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the window in the first floor on the north elevation serving the bedroom and facing No 17 shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and 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.