

Recommendation: **GRANT PERMISSION**

The site is opposite the public beach car park and in a prominent position. Surrounding development is mixed - it is generally two storey, back edge of pavement to the west, increasing to three storey flats on the corner with St Andrews Road. To the east is the low bungalow and then two storey residential dwellings, set back with frontage gardens. Further to the east the area becomes more commercial with The

Lifeboat pub and Rails Lane shops and Local Centre.

The site is located in Flood Zone 1.

2 Planning History

APP/18/00171 - Demolition of existing detached property, garage and associated outbuildings and the construction of a terrace of 3No. (2No. 3bed and 1No. 2bed) town houses., PERM,26/04/2018

3 Proposal

Variation of conditions 2 (approved plans), 3 (materials), 4 (landscaping), 7 (windows) and 9 (stores and lockers) and removal of condition 8 (drainage/SUDs) relating to planning permission APP/18/00171 (Demolition of existing detached property, garage and associated outbuildings and the construction of a terrace of 3No. (2No. 3bed and 1No. 2bed) town houses).

The changes to the approved plans have been the subject of negotiation during the course of the determination of this application and the amended details now propose can be summarised as: chamfering off the north western corner instead of the approved recess (which changes the eaves line and omits 2 rear windows); inserting a dormer in the eastern roofslope; and re-siting a door.

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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)

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

Building Control

No comments

Developer Services, Southern Water

No objections to removal of condition 8 relating to surface water run off disposal and SUDS.

Engineering/Drainage

None received

Hampshire Constabulary

None received

Highways Engineer

the Highway Authority has no comment on this application

Landscape Team

From a landscape perspective we have the following comments in relation to this application:

- The submitted landscape plan does not give details of the proposed planting, a note suggest a planting schedule on sheet 2, which needs to be submitted for review.
- There is insufficient information supplied in relation hard landscaping.

Following review of Schedule 2 planting plan:

Planting Plan acceptable - no further comments

Waste Strategy Team

No concerns

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

Comment	Officer Comment
None received	

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 of amended plans
- (iii) Materials
- (iv) Soft landscaping
- (v) Drainage
- (vi) Cycle Sheds and Refuse/recycling details
- (vii) Contributions

(i) Principle of development

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 replacement with 3 terraced dwellings has been accepted by APP/18/00171 and these are currently under construction on site. This is a Section 73 application and its granting effectively re-issues the original permission and must repeat the relevant conditions unless they have been discharged. No conditions were discharged before commencement on site and hence the current development on site is unlawful, pending the determination of this application. The details submitted with this application also address the outstanding pre-commencement conditions and supply details of the proposed materials (condition 3); landscaping (condition 4); additional window (condition 7); cycle storage (condition 9) and drainage/SUDs details (Condition 8).

It is therefore the impact of the proposed changes to the approved plans and the condition details are therefore now under consideration:

(ii) Impact of amended plans

The site is constrained by the low profile bungalow to the west and as originally proposed the increased eaves height from 3.4m to 3.9m was considered unacceptable and negotiations took place to retain the eaves line as approved at 3.4m but with the addition of a side dormer to allow for stair headroom. This is sited forward enough on the roofslope to not be directly overlooking the side windows of the bungalow, but would largely look over the roofslope of the bungalow. It is to be fitted with obscure glass and should not result in any loss of privacy to the neighbours. (This is an additional window in the east roofslope and condition 7 requires that consent be sought for such additional openings). Dropped eaves line have also been re-introduced which is considered to help 'ground' the visual appearance of the development. Other minor amendments include re-siting the front door to this unit to the side elevation; omission of 2 rear windows. Overall it is considered that the amended revisions now continue to respect the adjacent bungalow and more closely reflect the original approved plans and can be approved. The insertion of the dormer in the east slope is also considered acceptable but condition 7 would need re-imposing to prevent further openings in the future.

(iii) Materials

The submitted materials schedule includes Artic White K Rend for ground floor, with Hardy Plank cladding in Boothbay Blue (which is actually a grey/blue colour); with aluminium grey windows and doors and white soffit's and gutters. The balconies would be galvanized steel with glass balustrades; all beneath a grey slate effect interlocking tile. This grey and white colour scheme is considered appropriate to this sea front location and is an appropriate mid-grey ie not too bright or dark.

The condition also required details of the hard landscaping for the frontage area with contrasting paths to avoid a vast expanse of tarmac to the front. It is proposed to use Barleystone paving, Kingspave block paving across the whole frontage with a mix of Silver Grey and Damson colours to create the pedestrian paths. This is considered a high quality finish for the frontage area which would enhance the visual setting of the site. Overall, the material details are considered sufficient to satisfy condition 3 of the original planning consent.

(iv) Soft landscaping

Condition 4 required a planting schedule for the frontage area and this has been provided with an appropriate mix of plants that the landscape officer is happy with.

(v) Drainage

A revised drainage plan has been submitted with an attenuation tank in the rear to take the surface water from the building. No SUDs are proposed. This revised plan now meets Building Regulations and Southern Water have no objection. The details are therefore sufficient to satisfy the original Condition 8.

(vi) Cycle Sheds and Refuse/recycling details

Condition 9 required details of the cycle stores and refuse lockers. Shiplap timber "Tiger Storeboxes" are proposed as a row of stores set against the western frontage boundary for bins. And each garden is to have a Shiplap Pent Shed set against the western boundary wall for secure cycle storage. The siting of these is considered appropriate (at APP/18/00171 stage the neighbour to the rear objected to the siting of any shed against the northern wall and this has been respected).

(vii) Contributions _

The development is CIL liable but the original dwelling had a floorspace greater than the floorspace of the new dwellings and accordingly the development had a zero CIL liability. The amended plans are so marginal in any change to the proposed floorspace that the zero liability is not altered. Planning permission APP/18/00171 was also subject to the new Definitive Strategy as mitigation against the impact on the Solent SPA and the appropriate contribution made based on the higher rate of number of bedrooms (£1,200.20 was paid).

8 **Conclusion**

This is a Section 73 application and its granting effectively re-issues the original permission and must repeat the relevant conditions unless they have already been discharged. In this case the outstanding details have been submitted to satisfactorily deal with the relevant matters as above. Therefore these conditions need not be re-imposed as pre-commencement conditions but added as compliance with the details submitted. The amendments to the approved plans are also considered acceptable and the plans can be substituted.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00749

(A) subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

1:1250 Location Plan

Proposed Ground Floor Plan DRG NO: Y2018/01/05/07 on Council website dated 13 August 2018

Proposed Second Floor Plan DRG NO: Y2018/01/05/09 on Council website dated 13 August 2018

Proposed First Floor Plan DRG NO: Y2018/01/05/08 on Council website dated 25 September 2018

Proposed South Elevation DRG NO: Y2018/01/05/12 on Council website dated 25 September 2018

Proposed West Elevation DRG NO: Y2018/01/05/15 on Council website dated 25 September 2018

Proposed North Elevation DRG NO: Y2018/01/05/14 on Council website dated 25 September 2018

Proposed East Elevation DRG NO: Y2018/01/05/13 on Council website dated 25 September 2018

Typical Section AA DRG NO: Y2018/01/05/11 on Council website dated 25 September 2018

Proposed Roof Plan DRG NO: Y2018/01/05/10 on Council website dated 25 September 2018

Landscape Plan key - schedule of planting DRG NO: Y2018/01/05/17 on Council website dated 17 August 2018

Proposed Landscape Plan on Council website dated 13 August 2018

Amended Drainage Plan DRG NO: Y2018/01/05/10 on Council website dated 10 October 2018

Schedule of Materials on Council website dated 17 August 2018 including use of Barleystone paving, Kingspave block paving in Silver Grey and Damson colours

Tiger Storebox and Tiger Shiplap Pent Shed details

Reason: - To ensure provision of a satisfactory development.

- 2 The landscaping shown on the hereby approved plan and schedule shall be carried out in accordance with the approved details within 12 months of final occupation of the development hereby permitted. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 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.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, C, D and E, of Schedule 2, Part 1 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: Any works to the scheme need to be carefully controlled given the limited plot sizes and proximity to the immediate neighbouring properties, in accordance with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 5 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows / doors or other openings shall be constructed within the east or west side elevations without the prior written approval of the Local Planning Authority.

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 2012.

- 6 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 hereby approved drainage plan.

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.

- 7 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015 (as amended), prior to first occupation of the building hereby permitted the dormer window in the east elevation facing 44 Seafront 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.