
Site Address:	198 London Road, Waterloooville, PO7 7AN		
Proposal:	Construction of 1No. 3 bed bungalow with access from London Road.		
Application No:	APP/18/00720	Expiry Date:	10/10/2018
Applicant:	Miss A Duff		
Agent:	Mr D P Manns	Case Officer:	Rachael McMurray
	D M Designs		
Ward:	Stakes		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site comprises a detached chalet bungalow constructed of a mixture of render and cladding with a tiled roof. It is located in Waterloooville, close to the town centre on the main A3 bus corridor. There is a front driveway and tuning area which is accessible from London Road. The property has a generous rear garden which is mainly laid to lawn and includes mature vegetation to the sides and rear with protected trees towards the rear boundary. There is a rear conservatory in situ and a flat roof side extension to the north. The property has recently been developed to include an extension to the existing side facing dormer and the inclusion of modern cladding materials. The boundary to the north side of the dwellinghouse is constructed of 1.8m brick wall and runs the length of the curtilage of the site. To the rear of the site is a private road (Farm Lane Close) which is accessible from Park Lane and serves 5no properties.
- 1.2 Development to the south of the site comprises a detached bungalow, then after this are mainly two-storey properties. To the north of the site is No. 200 London Road which is also a chalet style bungalow but which is partially used as a chiropractor. This property is set further back from the highway. To the north of this is a two-storey office building.
- 1.3 There are forms of backland development within the immediate locality including a development to the rear of No. 192 & 196 London Road.

2 Planning History

90/55170/000 - Change of use to bed and breakfast accommodation, PERM,01/11/1990
90/55170/001 - Retention of conservatory and shed at rear - PERM, APP/18/00009 - Part demolition of existing single storey side extension, extension to the existing north eastern dormer, cladding and render (Approved 26/03/2018).
Request to Discharge Condition 3 (23/08/2018) - PERM,26/03/2018

3 Proposal

- 3.1 The proposal is for the subdivision of the existing rear garden and the construction of a 3no. bed bungalow with a new access leading from London Road, following the demolition of the existing flat roof side extension. The proposed dwelling would include a parking and turning area to the front and a private garden at the rear with a minimum depth of 11.9m.

- 3.2 Following the submission of amended plans, the scheme would now include a landscaping buffer strip along part of the boundary with No. 200 and a chamfered corner to the end of the access driveway.
- 3.3 The scheme also involves the diversion of a public water surface water sewer which currently crosses the site.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)
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

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist, Havant Borough Council

Initial response:

There appear to be discrepancies in the Arboricultural report and tree protection plan as there are 3 Oaks in the rear garden and only two shown on the plan. Please could the report be amended to reflect this.

An emergency access is shown to be created and this hasn't been incorporated into the Arboricultural report which it needs to be. Once I have this updated information I will be able to comment fully.

Further response:

Following the submission of amended plans which show the removal of the rear access and the amended arboricultural report, I have no objection need clarification on the retention of the oaks in the rear garden as the TPT only shows 2no oak trees.

Officer Note - the agent confirmed via an email on the file, that all the existing oaks within the rear garden are to be retained.

Building Control, Havant Borough Council

1) The fire service access to the proposed site is inadequate to comply with Part B. A fire appliance should be able to get within 45m of all points within the new dwelling, the access road should be at least 3.7m wide for any section where a fire appliance will need to be and if more than 20m of reversing will be required there should be an adequate turning circle.

- 2) The elevation adjacent 194 London Road should be at least 1m from the site boundary due to unprotected area formed by windows and doors.
- 3) The building appears to be within 3m of the storm water public sewer shown on GIS.

Officer Note - The agent has proposed a sewer diversion as shown on Drwg No. DUFF 01A Rev F. With regards to fire service access, a sprinkler system is now proposed as also shown on Drwg No. DUFF 01A Rev F, which should address point 1 above. This will be looked at in more detail at the building regulations stage.

Developer Services, Southern Water

Summary of response:

- No development or new tree planting should be located within 3m of either side of the public sewer.
- All existing infrastructure works should be protected during the course of the construction works.
- No new soakaways should be located within 5m of a public sewer.
- SW requires a formal application for a connection to the public foul and surface water sewers to be made by the applicant or developer.
- A further condition shall be included - construction of the development shall not commence until details of proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Officer Note - The agent has proposed a sewer diversion as shown on Drwg No. DUFF 01A Rev F.

Highways Engineer, Development Engineer

The applicant has not demonstrated by means of turning overlays that the two required vehicles parking spaces will be able to park on site and, independently, turn on site and enter London Road in a forward gear.

Further response based on amended plans:

The amended plans confirm that the plan now demonstrates that two cars can park, turn and enter London Road in forward gear. However the site is tight and requires all the area in front of the building to be available for the parking and turning of vehicle. It is recommended that this is covered by a planning condition.

The turning/parking area could be improved by providing a splay at the junction of the drive but it is accepted that this area not within the red line so this may not be possible.

Natural England Government Team

No objection

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all

identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Please note in future cases where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic approach for the mitigation of impacts on European Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the European Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation.

Traffic Management, East Hampshire District Council

The traffic team has no adverse comment to make.

Waste Services Manager

No objections.

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: 33

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: A total of 7no objections were received. Five of these are from Farm Lane Close which is to the rear of the application site. A summary of the points raised is provided below:

Comment	Officer Comment
Farm Lane Close is a private road. No permission has, or will be given by the owners to form any access to Farm Lane Close for any properties on London Road.	The originally submitted plans showed a access at the rear with a set of gates and hard standing for emergency vehicular access. However, in the amended plans this access has now been removed.
The development may cause excessive noise through the duration of the building project and should be restricted after 6pm and on weekends.	Hours of working and any excessive or anti sociable noise which results from this should be reported to Environmental Health who can investigate noise complaints further.
Chalet bungalow would be overwhelming in scale and result in overlooking.	The proposed dwelling is single storey only and does not propose any roof accomodation. As such, no first floor overlooking would occur. The description of the application has been amended to

	remove the word 'chalet'.

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) Parking and highways considerations
- (v) Impact on trees
- (vi) Ecology considerations
- (vii) 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) Impact upon the character and appearance of the area

7.3 The pattern of development within the immediate locality is mixed in nature and there are some forms of back land development including properties at the rear of Nos. 192 (No. 192a) and 196 (No. 194) and Farm Lane Close which is a small development of 5no. dwellings. The proposal therefore for a new dwelling in the rear garden is not wholly out of character.

7.4 The proposed development would include a rear garden of approximately 12m in depth which is in accordance with advice in the Council's Borough Design Guide. It would also include a parking and turning area at the front which would provide 2no. on site parking spaces. The access driveway to the development site would run alongside the northern boundary of No. 198. The width of the driveway would be only 3.2m which is considered fairly narrow and leave no capacity for a landscape or separation buffer, although one has been included along part of the boundary with No. 200 where the driveway opens up and there is more space. Concern was raised that the driveway is too narrow for a large emergency vehicle such a fire engine however, the agent has confirmed and annotated on the plans that a sprinkler system would be installed. Ultimately this is not a planning matter and would be dealt with at the building regs stage if planning permission is granted.

7.5 The proposal is for a bungalow with a pitched roof which is considered to be in character with the existing residential character, which contains bungalow style developments as well as two-storey properties. The dwelling would be subservient to the main dwelling in scale and would be situated well back into the plot, restricting views from the streetscene. Other than the narrow width of the access drive, it considered that the overall size of the site, can support a development that is not cramped or congested and can provide adequate parking and amenity space for a 3no. bedroom family home. It is therefore considered to meet the requirements of Policy CS16 in this regard.

(iii) Impact upon residential amenity

- 7.6 The relationship between the host dwelling and the new property would be a back to front distance of 26m, including a rear garden for the host property (no. 198) of 18m in depth. The new dwelling does not have first floor accommodation and therefore would not overlook No. 198, or any other nearby properties. No. 198 does have a rear first floor facing windows however, this would be over 20m in distance and therefore not considered to result in an adverse level of overlooking of the new dwelling.
- 7.7 The driveway to the new dwelling would extend along the north east elevation of No. 198, following the removal of a single storey side extension and side boundary of the rear garden. No details have been provided for the finish of this elevation following the removal of the garage, so it is not known whether it would include windows or not. Nonetheless, the position of the driveway to the host dwelling is not dissimilar to the backland development at No. 194 London Road, albeit this driveway is slightly wider. It still runs very close to the host dwelling. As a precedent for this has been set it would be difficult to justify a reason for refusal on those grounds.
- 7.8 The proposed dwelling would be set to the rear of the neighbouring property at No. 200 with the proposed parking / turning area located to the immediate rear of No. 200 and adjacent to the shared boundary wall. There was a concern that the proximity of the turning area so close to the windows in the rear elevation of No. 200, would give rise to potential noise disturbance from vehicles maneuvering and associated noise such as engines running, car doors slamming and radios. In order to lessen the impact of this, a 1m wide landscape buffer has been included along part of the boundary with No. 200. A condition would be included to require details of the type of planting to be agreed. It is considered that this amendment would work to some degree to mitigate against potential noise emissions. It can be noted that no objections were received from the neighbouring property.

(iv) Parking and highways considerations

- 7.9 The proposed development would include 2 no parking spaces on site which is in accordance with the Council's adopted parking standards. The Council's Development Engineer has been consulted and following the submission of further plans showing the tracking for turning on site, raises no objection with the scheme as vehicles can exit the site in a forward facing gear. Overall the proposal is in accordance with Policy DM13 of the Local Plan 2011.

(v) Impact on trees

- 7.10 There are several mature trees on site particularly towards the rear however, none of these are covered by a protection order. The three large oak trees are all proposed to be retained and this has been confirmed in an email from the agent dated 20/9/18, despite a discrepancy on the Tree Protection Plan (TPT) which only shows 2 x oak trees. The verdant character of the site will therefore be retained even with the inclusion of the subdivision of the site and the new dwelling and is therefore considered to be in accordance with Policy DM8 of the Local Plan 2011.

(vi) Ecology considerations

- 7.11 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.

- 7.12 This assessment included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy and the applicant has confirmed their part in a legal agreement to secure the mitigation package. The necessary payment has already been secured. 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.

(vii) Developer contributions

- 7.13 The development is liable for a CIL payment of £13,271.82. However, the self build exemption form has been submitted for review by the Council's CIL team.

8 Conclusion

Further to the considerations above, on balance the proposal is considered to be acceptable and is recommended for permission.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00720 subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
Amended - proposed plans and elevations - Dwg No. DUFF 1 OF 2 REV F
Section plans - Dwg No. DUFF 2 OR 2 REV F
Design and access Statement
Arboricultural Impact Assessment and Tree Protection Plan as amended - by Martin Dobson Associates - 10 September 2018.
Reason: - To ensure provision of a satisfactory development.
- 3 No development shall take place until details of existing and finished floor and site levels relative to previously 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 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 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 onsite trees and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 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.
- 6 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.
- 7 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no alteration to the roof including the insertion of windows shall occur on the building hereby approved 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 policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 8 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 CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 9 The development shall be carried out in strict accordance with the Arboricultural Impact Assessment and Tree Protection Plan as amended - by Martin Dobson Associates - 10 September 2018

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

- 10 No above ground construction work shall commence until a detailed soft landscaping scheme for the landscape buffer along part of the boundary with No. 200 London Road has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the distribution and species to be planted, the positions, species and planting sizes of the trees and shrubs to be planted 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.