

Recommendation: **GRANT PERMISSION**

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)
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)

Havant Borough Local Plan (Allocations) July 2014

HB1	(Havant and Bedhampton Housing Allocations)
AL1	(Presumption in Favour of Sustainable Development)
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

Building Control, Havant Borough Council

No comments at this time

Building Regulation application will be required for this work

Crime Prevention -Minor Apps

No comment

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 consulted 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.

Officer Comment: This has been secured and an informative shall be included with the decision.

Public Spaces

No comment

Waste Services Manager

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: 2

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
I have no objection to the proposal in principle but do have concerns about parking at the property. Sparsholt Close is a cul-de-sac with limited parking (some properties are lucky enough to have off road parking) causing visitors and owners having to park on the road, which leaves little room for owners to get on and off their driveways. Having looked at the plans I didnt see any plans that show how they intend to provide additional parking at the site, the applicant usually has 2 vehicles parked at the site so I cant see how they will make enough space to provide further parking, what we dont need is more cars parked on the road in this small close.	See section 7
When this development is completed is it going to be a new property to be advertised for sale or for the original owners of no. 13 to expand into?	This shall be a new property to either be used by the applicants or sold.
The application states that there will be parking for 4 cars. If that is just taking into account the existing layout then I believe that is not adequate.	See section 7

The occupants at present have 2 large people carriers and when they have members of the family visiting they park opposite our drive way and number 9's. Number 12 - vacant at present room on drive for 1 car another on the road opposite no.13. Number 11 - occupants have 2 cars on drive. 3 members of the family come up every weekend further 2 - 3 cars, they park anywhere regardless of others on the road. Number 14 - 1 car parks normally on road outside number 12. The son parks on drive allocated for number 15 who do not own a car only used when they have visitors. Number 10 - 2 cars parked on drive. Number 9 - 1 car parked on drive. Any further visitors to either end of Sparsholt Close park opposite our house no.10 or no. 9 and to be honest it is really frustrating when you paid to have a driveway put in years ago and still have to hope that when you get home you can get in easily without having to be aware that you might knock a car parked near by. This has been an on going problem for many years and we have contacted the council on several occasions to have the grass opposite taken away and some hard core parking areas put in but as always there was never enough budget to do this although other areas of Leigh Park seem to do ok? Your comments on this matter would be most welcome.	See section 7 This is a civil matter and could not be commented on further as part of the application. This cannot be commented on and does not form part of the planning application and assessment.
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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) Impact upon the character and appearance of the area
- (iii) Residential amenities of the proposed dwelling
- (iv) Impact upon residential amenity
- (v) CIL and Planning Obligations
- (vi) Parking

(i) Principle of development

- 7.2 The application site is situated within an urban area as defined by policy CS17 where further development is considered acceptable subject to the usual development control criteria. Policy CS9 supports new dwellings which help the Borough achieve its allocated housing requirement and therefore the principle for the additional dwelling is acceptable.

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

- 7.3 The works involve the development of a new dwellinghouse to the north side of No 13 which shall incorporate an existing single storey side extension. The proposal shows that the ridge height and front elevations shall be in line with the existing dwellinghouse No 13 and as such it is considered that the visual appearance of the building line from Sparsholt Close would not be significantly impacted as a result. The proposed development would have a similar width to the existing dwellings within the terrace which is considered to retain the character of the streetscene and ensure that the works do not disrupt the pattern of development within the terrace. Materials are proposed to match that of No 13 and the design of the proposed development is considered to be sound which would ensure that the work have an acceptable visual impact on the locality of the area and comply with policy CS16 of the Havant Borough Design Guide.

- 7.4 The works shall create an addition in the terrace block from 4 to 5 dwellings. It is acknowledged that the sizes of terraces within Sparsholt Close vary with a line of 6 dwellings opposite. The application site is considered to be able to accommodate the proposed works without creating a cramped or cluttered appearance on the streetscene and therefore the impact caused to the character and appearance of the area is considered to be limited and acceptable.

- 7.5 The proposed development includes an extension to the rear of the dwellinghouse at single and two storey height. Examples of development to the rear is present within Sparsholt Close and as these shall be screened from the highway the impact caused to the visual amenity is considered to be limited and acceptable.

(iii) Residential amenities of the proposed dwelling

- 7.6 The layout shows how the site would be laid out and includes two parking spaces to the front of the dwelling in a tandem arrangement. The rear amenity space narrows in form to the east but can accommodate a garden depth of approx 15m with a garden width of approx 5m when taken from a central point. This is considered to provide a suitable provision to the occupants of the new property and is considered to comply with the Boroughs Design Guide. Due to the position of the dwellinghouse creating an end of terrace development it is considered that the new dwelling would not suffer from being over-looked and boundary details shall be conditioned to be submitted for approval to ensure this impact is acceptable. Permitted Development Rights shall also be removed via a condition with the decision to ensure that amenity space is retained

and so that no further development at first floor and roof level do not cause significant over-looking to neighbouring dwellings.

(iv) Impact upon residential amenity

- 7.7 The works are considered to have the potential to impact No 13 Sparsholt Close and the Woodlands Education Centre to the north. The new dwelling extends past the rear elevation of No 13 Sparsholt Close but shall be to the north of the neighbour which would ensure that light levels reaching the property are not restricted and shadowing is not created as a result. The two storey projection proposed on the new dwellinghouse shall be set off the proposed shared boundary by approx 0.9m. The depth shall be modest at approx 1.5m which combined with the hipped roof design is considered, on balance, to ensure that the works do not appear significantly oppressive nor over-bearing to this neighbour and the first floor windows in place within the rear elevation. No first floor windows are proposed within the side elevation of the development which shall ensure that privacy levels are retained between the neighbours.
- 7.8 The ground floor extension shall be set off the shared boundary with No 13 by approx 0.9m with a hipped roof design which shall reduce the visual impact of the development from the neighbour. The works shall be alongside the neighbours conservatory and following a condition to be included with the decision shall have suitable screening in place between the properties which would improve this impact further. Furthermore the design of the extension is considered to be modest and subservient and due to being set off the boundary and north of the neighbour the works, on balance, are considered to not be un-neighbourly. No windows are proposed within the side elevation facing No 13 which is considered to protect and maintain privacy levels between the neighbours. The works are therefore considered to be acceptable.
- 7.9 The works shall be to the south of the Woodlands Education Centre. Following a site visit it was noted that the development shall be separated from the centre by approx 11m with the car park serving the centre situated between the proposed new dwelling and centre. Although the proposal shall bring development in closer proximity to the shared boundary this acceptable distance and separation between the works is considered to reduce any visual dominance created by the development and ensure that the works do not appear over-bearing or oppressive. A first floor window is proposed within the north side elevation however this is considered to not cause significant over-looking and has been annotated within the plans to be fitted with obscure glass which shall be conditioned as part of the decision under the approved plans. This is considered to be sufficient to ensure that no significant over-looking occurs from the works. The development is considered to be acceptable.

(v) CIL and Planning Obligations

- 7.10 The application is liable to pay the Community Infrastructure Levy a total of £4,460.25 and the relevant forms have been sent including a draft liability notice accepting this amount
- 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. This assessment included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy and the applicant has 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 submitted the completed legal agreement to secure the mitigation package.

(vi) Parking

- 7.12 The proposed new dwelling shall be for a two bedroom property and as such both the new dwelling and No 13 have a requirement to provide two parking spaces onsite making 4 in total. Following a site visit it was noted that a large space to the front has been fully hard-surfaced in order to provide this provision. Plans have since been submitted to show that No 13 owns this piece of land and how this provision can be accommodated to the required space sizes to the front of the dwellings. The works are therefore considered to comply with policy DM13 and the Parking Standards SPD and are acceptable.

8 Conclusion

- 8.1 The proposed scheme for an additional dwelling to the side of No 13 with appropriate conditions shall 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 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/18/01141 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:

Location Plan: Page No 07 Received 07.02.2019

Existing and Proposed Plot Plans including Parking Plan: Page No 01

Proposed Ground Floor Plan: Page No 03

Proposed First Floor Plan: Page No 04

Proposed Elevations Plan: Page No 06

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.
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.
- 4 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.
- 5 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 hereby permitted new dwelling 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 2018.
- 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 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.
- 8 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.

- 9 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 2018.