

Variation of condition 8 of Planning Permission APP/17/00812 relating to orientation of shed from East/West to North/South and changing roof from hipped to monopitch.

The proposal seeks to make some variations to the approved dwelling under APP/17/00812 - the main changes relate to: changing roof from shallow hipped to monopitch which results in reduction in height of between 0.37m and 0.53m; utilising a 20cm substrate green roof which mitigates water run-off and allows for planting of grasses, wild flowers etc rather than previous sedum roof; increased number of solar panels on roof (now 20 - previously 11); 3 additional windows - 2 in west elevation and 1 in east - all would be obscure glazed where above the 1.8m side boundary fence; provision of covered walkway/verandah to east elevation; and re-orientation of the shed in the already approved south-west corner of 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

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)
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)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control

No comment on change in roof design

Landscape Team

Original Comments:

From a landscape perspective we require the site plan to be updated to reflect any proposed amendments. Furthermore the submitted drawings indicate a change to the landscape scheme (green roof, additional planting etc.), which will be a variation on condition 5 and as such we require the landscape plans to be amended for comment.

Revised comments after sight of details requested:

No objection - all adequate

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: 11

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
1 Support letter	
The proposed amendments greatly improve the aesthetics of the proposed dwelling and I fully support this application.	

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) 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 new dwelling has been accepted by both APP/16/01091 and APP/17/00812. This is a Section 73 application seeking to vary APP/17/00812 and its granting effectively re-issues the original permission and must repeat the relevant conditions unless they have been discharged. It is the impact of the proposed changes to the approved plans that are therefore now under consideration:

(ii) Impact of amended plans

The changed roof profile to a mono pitch with deeper planting on the roof would slightly lower the development and therefore reduce its impact and improve the outlook from neighbouring dwellings. The increased number of solar panels would be screened by the roof planting on the perimeter, which partly takes place on the side canopy/walkway. The additional windows in the side elevations are at ground floor only and proposed with obscure glass where above 1.8m high. This would prevent any material harm to neighbouring privacy and amenity. The shed has already been agreed to be sited in the south-west corner and its re-orientation ie ridge line rotated through 90 degrees, would have minimal impact to neighbouring amenity. Overall the amended plans are considered acceptable and the replacement plans and design would have minimal additional harm to neighbouring amenity and are considered to continue to be in compliance with policies.

(iii) Contributions

The development is CIL liable although this amendment makes no change to the internal floorspace which remains at 89sqm. Nevertheless, due to the lapse in time and resultant slight increase in amount due to indexation, and to reflect the current plans, an

updated Draft Liability Notice has been sent to the applicants, who are claiming self-build exemption.

This development would also increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. This was previously mitigated against under the Interim Strategy through a Deed and payment. However the Definitive Strategy replaced this in April 2018 and Natural England now requires the S106/UU to meet the definitive strategy requirements to comply with the Appropriate Assessment Process. Since this Sec 73 application does not change the internal floorspace or number of bedrooms at all it would be unreasonable to request the uplift contribution to the Definitive Strategy.

8 **Conclusion**

The amendments to the approved plans are considered acceptable and the plans can be substituted. 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 no conditions have been discharged as a result of this submission and they will need re-imposing with updated reference to the current plans.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/01136

(A) subject to the following conditions

- 1 The development must be begun not later than 25th September 2020.
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 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.
- 3 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure (other than those shown on the hereby approved plans) permitted by Part 1, Classes A, B, and E of The Town and Country Planning (General permitted Development) Order 2015, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.
Reason: To enable the Local Planning Authority to maintain control of such additions in the interests of the amenity of neighbouring residents, to ensure an adequate amount of amenity space and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 together

with the National Planning Policy Framework.

- 4 No above ground construction works shall take place until details of a root barrier system and tree pit planting details for the proposed pleached hornbeam trees on the eastern boundary adjacent the wall have been submitted to and approved by the Local Planning Authority. Such details shall include the type of root barrier system, its size, depth and distance from wall's foundations, as well as proposed soil and drainage material for the tree pit. Thereafter the approved details shall be implemented in full with the tree planting.

Reason: To protect the long term stability of the adjacent boundary wall and successful screening, in the interests of the amenity 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.

- 5 The landscaping works shown on the approved plans for the eastern and southern boundaries shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following first occupation of the development hereby permitted, whichever is the sooner. 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.

Reason: To ensure the appearance of the development is satisfactory 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.

- 6 No development shall take place until the oak tree to be retained on the adjacent site has been enclosed with temporary protective fencing in accordance with the submitted Arboricultural Method Statement by CES Ltd dated August 2017. Thereafter the development and protective barrier for the hereby approved re-sited shed, shall be implemented in full accordance with this Arboricultural Method Statement .

Reason: To safeguard the continued health and presence of the adjacent oak tree and to protect 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.

- 7 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.

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

Summary of Variations Statement

Ground Floor Plan Drawing No. 1844/P/101

Front and Rear Elevations Drawing No. 1844/P/102

East and West Elevations Drawing No. 1844/P/103

Roof Plan Drawing No. 1844/P/104

Section Drawing No. 1844/P/105
Site Plan scale 1:200
Planting Plan scale 1:200

Reason: - To ensure provision of a satisfactory development.