

Recommendation: **GRANT PERMISSION**

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)

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

None.

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: 10

Number of site notices: Not applicable.

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) Car parking and highway issues
- (v) 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. The principle of the additional dwelling is already approved and this application is submitted as a Section 73 application to vary the approved plans to increase the size of the conservatory.

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

- 7.3 The proposed conservatory to the rear of the dwelling is to be increased in width by approximately 2.15 metres and the roof will be changed from one large roof lantern to two smaller lanterns which are approximately .015 metres lower in height. It is considered the revision will not materially affect the character and appearance of the area. The site is large enough to accommodate the extra width and there would be no change in the 11 metre depth of the garden, which is in excess of the minimum 10 metre requirement recommended in the Borough Design Guide.
- 7.4 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Impact upon residential amenity

- 7.5 Although the northern elevation of the conservatory would be approximately 2.15 metres closer to the shared boundary with number 10, there are no doors and two modest windows in this elevation. Furthermore, there is a distance of 3.6 metres to the boundary from this elevation.
- 7.6 On balance, it is considered that the increase in the size of the conservatory is unlikely to appear overbearing or result in any significant loss of light and would have limited and acceptable impact on the properties immediately adjacent to the application site, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the revised scheme.

(iv) Car parking and highway issues

- 7.7 There is no change in the number of bedrooms, therefore the parking provision remains unchanged from the previously approved plans.

(v) Contributions

- 7.8 The development is CIL liable and under the previous application the floorspace of 115 sqm generated a CIL liability of £12,403.57 in April 2018 . The enlarged floorspace results in a total of 122.3 sqm and since the S73 application will supersede the original the CIL liability has been re-calculated as £13,190.93. The Draft Liability Notice has been sent to the agent.
- 7.9 This development would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. Policy DM24 of the Allocations Plan, covers this issue and allows for a financial contribution to be made towards mitigation measures, although this was paid with the previous outline application. The proposal therefore accords with Policies CS11, CS21 (Developer Contributions) and DM24.

8 Conclusion

- 8.1 It is considered that the slight increase in the size of the conservatory to the rear of the new dwelling proposed would have limited and acceptable impact on the neighbours

and is therefore considered to be appropriate and recommended for approval. As a Section 73 application the original conditions are repeated.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00818 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 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 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 No development shall take place until finished floor levels for the proposed building 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 having due regard to policy CS16 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework 2012.
- 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 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.
- 5 No development hereby permitted shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground

cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, 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 policies CS11.1, CS11.2, CS11.4, CS12, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 6 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 CS11.1, CS11.4, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 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 garage hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation.

Reason: In the interests of the amenities of neighbouring properties and to ensure the retention of adequate on-site car parking in accordance with standards adopted in the Havant Borough Residential Parking and Cycle Provision SPD 2010 having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 The development must be undertaken in accordance with drawing number DC001 Rev C and tree protection zone details received 11 January 2108 to protect the oak tree.

Reason: Policy DM8 to protect the conservation and enhancement of existing natural features.

- 10 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension 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 immediate locality and having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 which forms part of the Local Development Framework.
- 11 The development hereby permitted shall be carried out in accordance with the following approved plans:
Drg no. 002 Rev D Proposed elevations and floor plans
Drg no. 005 Rev B Proposed block plan
Schedule of materials
Tree protection fencing details
Reason: - To ensure provision of a satisfactory development.