

Recommendation: **GRANT PERMISSION**

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Initial Response

The garden attached to the property contains a specimen example of Tree of Heaven which is highly visible and makes a significant contribution in the landscape and is worthy of preservation. This tree is under threat from these proposals and therefore recommend that a TPO is made.

Final Response (further to the protection of the tree)

No objection provided a condition is applied that the work is carried out in accordance with the tree report and plan.

Highways Engineer, Development Engineer

The highway authority has no adverse comment to this application subject to a planning condition that the works are constructed as detailed within the application. An informative should be placed on the application that the approval of the Highway Authority is required with regard to the details of construction.

Property Services Manager, Corporate Group

With reference to APP/17/01063, the Estates Team has no adverse comment in respect of the proposals.

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: 5

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) Appropriateness of design and impact on the character of the area
- (iii) Impact on highways
- (iv) Impact on TPO tree

- (i) Principle of development

- 7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the area

- 7.3 The height of the proposed fencing and gates will not exceed the height of the existing boundary treatment, and will be of a similar height to boundary treatments found within close proximity to the application site. The condition of the current garage door and boundary wall with attached upper panelling is deteriorating and therefore the proposed alterations would be considered to be an enhancement to the character of the area. 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 on Highways

- 7.4 The submitted plans show that the gates are to open inwards onto the site rather than out over the highway. This section of road is fairly quiet and contains traffic calming 'speed humps' therefore it is not considered necessary to require the gates to be electronically operated. It is also not considered necessary for a visibility splay to be provided as the proposal will be similar to the existing arrangement from no. 4's garage and the arrangement at neighbouring properties. The Highway Authority has no adverse comment to this application subject to the works being constructed as detailed within the application.

(iv) Impact on TPO tree

- 7.5 A tree plan was submitted as part of the application with regard to a mature tree within the curtilage of the application site. The applicants detailed within the tree plan how they proposed to carry out the works without causing any harm to this tree or its roots. However the arboriculturalist carried out a site inspection and raised concerns regarding the feasibility of the protection of the tree throughout the construction period and recommended that a Tree Protection Order was placed on the tree. It was also recommended that an Arboricultural Method Statement and a Tree Protection Plan be prepared by an arboricultural expert, to comply with BS5837:2012.
- 7.6 It was noted that the original site plan submitted showed the tree to be in an incorrect position. An amended plan (Site plan No. 2 - trees - version 3) was submitted on 01.05.18 showing the correct location.
- 7.7 The TPO has now been placed on the tree and the applicant has submitted detailed information as to how the works will be completed without causing any harm to either the tree or its roots. This has been approved by the Council's Arboricultural Officer, with the recommendation that a condition is attached to the decision notice to state the works are carried out in accordance with the details provided
- 7.8 Consequently, it is considered that the proposal is unlikely to appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

8 **Conclusion**

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact and is therefore considered to be appropriate and recommended for approval.
-

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/01063 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:

Site location plan -

Site plan - Trees - dated 01.05.18

Existing and proposed layout plans

Dimensioned layout of proposed works

Projection of existing and proposed arrangements (rev 2)

Proposed access

Tree survey and Arboricultural Impact Assessment, Arboricultural Method

Statement and Tree Protection Plan (dated 01.03.18)

Detailed plan of proposed works

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or 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.