
Site Address:	Land rear of 55 New Road, Havant, PO9 1DD		
Proposal:	Erection of 1No. 3 bed detached dwelling.		
Application No:	APP/18/00524	Expiry Date:	25/07/2018
Applicant:	Mr Kendall		
Agent:	Mr Jay	Case Officer:	Rachel Ballam
	The Planning Service		
Ward:	Bedhampton		

Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 The application site is situated within the settlement area of Havant to the immediate west of James Road. The site, which is of a rectangular shape and measures approximately 207m², comprises the northern part of the rear garden which currently serves existing residential property, no. 55 New Road. Owing to its orientation the proposed dwelling would be read in the context of the street scene of James Road. The site is bordered by the rear garden of no. 53 New Road to the west and by public allotment space to the north. Development within the locality is of a residential nature, predominantly characterised by uniform terraces to James Road, as well as Fraser Road due north of the application site, and semi-detached dwellings along New Road to the south of the site.
- 1.2 The site as existing is predominantly hard surfaced in concrete and contains a single storey pitched roof detached double garage belonging to no. 55 New Road. An existing vehicular access and crossover between the site and James Road is located to the east of the site adjacent to the northern boundary. The application site is bordered by a low close board timber fence to the east with timber barred gates to the existing access, a high hedge to the west, and a low brick wall with high mature hedging and planting to the north. A large mature tree is situated just beyond the north-east corner of the application site.

2 Planning History

92/56980/000 - Single storey rear extension., PERM,06/07/1992

3 Proposal

- 3.1 The application proposes the erection of 1No. 3 bed detached chalet bungalow within what is currently the rear garden of no. 55 New Road. An existing detached double garage to the rear of the existing garden and timber clad outbuilding adjacent to the midway point of the western boundary would be demolished to facilitate the development. The new dwelling would contain three bedrooms, one with an en suite, and a bathroom at first floor level with a lounge, WC and open plan kitchen-dining room at ground floor level. The property would measure 9.9m in length and have a maximum depth of 6.3, achieving a maximum eaves height of 3.4 above ground level and a ridge height of 6.1 above ground level.
- 3.2 Externally the property would be afforded a parking area to the immediate north of the proposed dwelling which is proposed to accommodate two vehicles as well as cycle and waste bin storage. The main garden area serving the new dwelling would be situated to the immediate south of the property, measuring 5.6 in depth by 10.6. A

secondary area of external amenity space would wrap the property to the west, measuring 10.1 along the length of the property and approximately 2.6m in width between the property and the western boundary.

- 3.3 The property would be constructed from facing brick with slate roof tiles and uPVC 'timber effect' windows and doors. The boundary treatments to the north, east and west would remain as existing (a wall with planting above, low fence and mature hedge, respectively) whilst the new boundary to the south, which would separate the new dwelling from the sub-divided rear garden of existing property 55 New Road, would be in the form of a close board timber fence.
- 3.4 Also proposed is the creation of a new parking area, vehicular access and crossover to serve no. 55 New Road, as the existing parking area, access, crossover and double garage would be lost to the creation of the proposed dwelling and associated external provisions.

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

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|------|---|
| 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) |
| DM13 | (Car and Cycle Parking on Residential Development) |

Havant Borough Local Plan (Allocations) July 2014

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| 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

Building Control, Havant Borough Council
No comments

Community Infrastructure, Planning Policy & Urban Design
CIL Liable. Self Build Exemption Form submitted.

Additionally instructions should be passed by the Case Officer to the CI Team to issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, now based on the number of dwellings and their respective number of bedrooms. See <http://www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy>

Crime Prevention -Minor Apps
None received

Developer Services, Southern Water

Southern Water would have no objections to the above proposal.

Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>. The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk”.

Engineering/Drainage

None received

Highways Engineer, Development Engineer

The Highway Authority has no adverse comment on this planning application subject to the provision of the a new dropped kerb vehicular access for the existing property. An informative should be added to the any planning approval stating that works on the Highway requires the approval of the Highway Authority.

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.

Protected species Natural England has produced [standing advice](#) to help planning authorities understand the impact of particular developments on protected species. We advise that the standing advice is interpreted for you by your district ecologist, or an equivalent independent party with the necessary expertise. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Should the application change please consult us again.

Public Spaces

None received

Waste Services Manager

[I have no concerns over waste collection regarding this planning application](#)

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: 13

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Second access point onto James Road would exacerbate traffic congestion and pose a risk to traffic safety	The Highways Authority have been consulted and raised no concern regarding the creation of a second access in this location
The building is situated within a flood zone. The building would remove natural drainage from an area which already experiences drainage issues and local flooding	The application site falls within Flood Zone 1 for which statutory bodies would not ordinarily be consulted. If recommended for approval a condition requiring the submission of foul and surface water drainage details should be applied
A fireplace has been observed on the plans which indicates the potential burning of coal or wood, which could impact negatively upon the health of local residents	This matter would be regulated by Building Control and Environmental Health regulations

The proposal would impact negatively upon the outlook, light and privacy of no. 53 New Road	This matter has been addressed within section 7 of the Officer Report
Additional parking would result in increase in pollution from exhaust fumes	The addition of 1 no. access and 2 no. car parking spaces would not be considered to represent a significant increase to expected pollution levels from traffic
No details have been provided regarding root protection for the existing tree to the northern boundary	If recommended for approval a condition requiring the submission of tree protection measures should be applied
The root systems of existing trees bordering the site could result in subsidence of the new dwelling	This matter would be regulated by Building Control requirements
Development could lead to a loss of vegetation	No loss of vegetation is proposed as part of the development

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) Highways Considerations
- (vi) Planning Obligations

(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. Any new housing contribution has to be weighed against the severity of the impact it causes and although a new dwellinghouse would typically be looked at favourably it is considered that the restrictions in the plot size and parking provision and impact to standards of living outweighs the modest contribution that this development would make to the Borough's Housing Supply. Current allocations for housing have been approved for the Borough which demonstrates that housing can be accommodated elsewhere within the built up area and therefore, on balance, the significant impact caused as a result is considered to be contrary to CS9 of the Boroughs Local Plan (Core Strategy) and the principle of the development is not supported.

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

7.3 The proposed dwelling, in considering its footprint, would represent an overdevelopment of the plot when considered within the context of surrounding development, which is generally characterised by modestly sized properties with comparatively large gardens, particularly along New Road to the south and west of the site. Guidance contained within the HBC Design SPD advises that gardens should ordinarily span a minimum of 10m in length between a property and the curtilage boundary; the garden of the proposed dwelling, however, would span only 5.6m between the south elevation of the property and the southern curtilage boundary. The SPD acknowledges that local patterns may give rise to exceptions to the rule, for example where a pattern of small courtyard gardens of 10m or less is already evident within the street, but within the locality of the application site properties along New

Road benefit from generously proportioned gardens whilst the gardens of properties along James Road, whilst smaller in scale than those along New Road, are still predominantly in excess of 10m in length. In addition, gardens within the area generally face onto undeveloped land whilst the limited garden space of the new dwelling, and the reduced garden which would serve 55 New Road, would be backed by residential development.

- 7.4 The proposed dwelling would represent an incongruous form of development in respect of its form, style, orientation and siting within the context of the street scene. Development within the locality is characterised by two-storey terraces of a uniform character and appearance and a limited pallet of materials along the fronting James Road and semi-detached houses along New Road to the south. By contrast the proposed chalet bungalow would represent the introduction of a single detached property of unique form and style to James Road. The materials proposed, with particular regard to the slate roof tiles, would reflect those which are evident along New Road to the south of the site, including no. 55 New Road to the immediate south. However, the proposal would be read within the context of James Road, onto which the new dwelling would face, along which the common roof material is brown concrete tiles. Materials which would reflect those of the properties along James Road would therefore be considered more appropriate.
- 7.5 Policy CS16 of the HBC Core Strategy requires that all development should demonstrate that its design identifies and responds positively to existing features of local character within or close to the proposed development site and uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors. For the reasons given above it is considered that the proposed development would be contrary to the requirements of Policy CS16 and supporting HBC Design guidance and cannot, therefore, be recommended for approval.

(iii) Impact upon residential amenity

- 7.6 An objection comment has been received in which concerns are raised that the new dwelling would result in a significant negative impact upon the privacy, outlook and light of no. 53 New Road. A first floor window located within the west facing dormer would afford direct views from the new dwelling over the rear-most part of the garden of no. 53 New Road with oblique views toward the property itself. Three high level windows would also be located within the western roof pitch, but owing to their height above finished internal floor levels would not be expected to afford views out of the proposed dwelling. Some negative impact upon actual and perceived privacy for no. 53 New Road would be expected as a result of the west facing dormer window. It is considered that the proposed dwelling would be situated a sufficient distance from no. 53 New Road as well as other surrounding development, including no. 55 New Road to the immediate south of the application site, so as not to constitute an unacceptable impact upon the outlook or light for neighbouring residents.
- 7.7 The siting of the proposed development relative to existing residential properties would result in a significant negative impact upon the amenities of the occupants of the new dwelling. The main external amenity space would be overlooked by the first floor rear facing windows of existing property no. 55 New Road to the south of the application site with oblique views over the proposed garden from no. 53 New Road. The proposed boundary fence between the new dwelling and no. 55 New Road would not be considered adequate to mitigate the negative impact upon the privacy of the new

dwelling to an acceptable level. The proposed development would therefore be contrary to Policy CS16 of the HBC Core Strategy which requires that development does not cause unacceptable harm to the amenities of neighbours through loss of privacy and overlooking.

(iv) Highways Considerations

- 7.8 The plans convey provision of two parking spaces for the new dwelling and two parking spaces and a new access to be created for 55 New Road. The Havant Parking SPD recommends a minimum area of 2.4m in width by 4.8m in length per parking spaces and requires a minimum number of 2 parking spaces to serve a three bedroom dwelling. Both the new dwelling and the existing dwelling, as three bedroom properties, would require, therefore, a parking area in excess of 9.6m in length by 2.4m in width so as to meet with the requirements of the Parking SPD. The application, however, falls short of this allowance, providing an area of 3m in width but only 9m in length for the existing dwelling. The new dwelling would be provided an area of 2.4m at its narrowest point by 11m at full length, though this would be reduced to 8.7m in length when accounting for the proposed location of the stored waste bins. No area for turning would be provided within either site meaning that vehicles would have to either enter or exit the site in a reverse gear. The proposal is not considered to meet the requirements of the HBC Parking SPD and is therefore unacceptable in this regard.
- 7.9 A third party objector has expressed concern that the creation of a second access onto James Road would pose a risk in terms of traffic safety and would exacerbate the on street parking issues reported to affect the road. However, the Highways Authority were consulted with regard to this application and reported no such concerns.

(vi) Planning Obligations

- 7.10 The proposal would result in new residential development and would trigger a payment for the Community Infrastructure Levy. The new floor space generates a CIL contribution of £6,875.89 and the applicants have completed the necessary Assumption of Liability form accepting this amount.
- 7.11 In addition, the development would require a contribution of £531.35 to mitigate against the adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP). As the recommendation is to refuse planning permission this contribution has not been received. This is reason to refuse the planning application.

8 Conclusion

- 8.1 The proposed new dwelling, by reason of its footprint and scale relative to its curtilage, its incongruous form and style relative to surrounding development, and limited parking provision and external amenity space, is considered to be contrary to local and national planning policy and design guidance. The proposal would represent an incongruous form of development that would represent a significant negative impact upon the visual amenity and character of the street scene not in keeping with existing pattern or appearance of development within James Road. The proposal would also result in significant harm to the amenities of the occupants of the new dwelling, with particular regard to privacy, as well as the adjoining property to the west. Essential mitigation measures in relation to the development's impact upon the Solent SPA sites

have also not been secured.

- 8.2 As such, the proposed development is considered to be contrary to the NPPF, policy CS16 of the Havant Borough Local Plan Core Strategy 2011 and the adopted Havant Borough Design Guide 2011 and is therefore recommended for refusal.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/18/00524 for the following reasons:

- 1 Development of the site in the manner proposed would amount to overdevelopment in that it would give rise to an unsatisfactory plot size and a cramped and congested layout that would conflict with the established pattern of development in the locality. The proposed dwelling, by reason of its size, design and siting relative to existing surrounding development, would be harmful to the character and appearance of the street scene and would not provide satisfactory living conditions for the occupants of the proposed dwellings and a loss of amenity to the adjoining property to the west. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.
- 2 The parking areas proposed for both the existing and proposed dwellings do not provide adequate car parking for 3 bedroom properties. Consequently it has not been demonstrated that sufficient parking can be provided on site for the proposed development in accordance with the Local Planning Authority's adopted standards and the proposed development would therefore encourage the parking of vehicles on the public highway which would interrupt the free flow of traffic, detrimental to residential amenity and contrary to Policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.
- 3 The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Recreation Mitigation Strategy, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the Local Planning Authority which seeks to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. It is therefore contrary to policies CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2018.