
Site Address:	Land adjacent to 60 Gladys Avenue, Cowplain, Waterlooville PO8 8HS		
Proposal:	Demolition of existing outbuilding and erection of 1No. 2 bedroom bungalow.		
Application No:	APP/17/00651	Expiry Date:	11/08/2017
Applicant:	Mrs Gander		
Agent:	Mr Galloway	Case Officer:	David Eaves
	Peter Galloway Partnership		
Ward:	Cowplain		

Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 The application site fronts Gladys Avenue and lies to the rear of 17 Lovedean Lane and to the north of 60 Gladys Avenue. The land boundaries measure as follows:

North 15.3m
South 15.38m
East 16.3m
West 15m

This provides a site area of approximately 239.44sqm.

- 1.2 The site is fully enclosed by fencing and is separated from the adjoining residential gardens. The site has been cleared and the land slopes down to the south and east such that the adjacent bungalow, No 60 Gladys Avenue is on lower ground. It was noted at previous site visits that the site had been partly used as a storage area for waste materials, however, at a recent visit the site had mainly been cleared although there were two small boats and a small amount of waste material on site. There was evidence of a bonfire having taken place. There is a large shed outbuilding in the south-west corner of the site.
- 1.3 The surrounding area is primarily residential in character with a mix of semi and detached properties. 17 Lovedean Lane comprises a detached cream painted render 2 storey dwelling having a rear garden depth/separation to the application site of between approximately 12.5m to 9.2m. No 15 Lovedean Lane is a two storey semi-detached dwelling having a long rear two storey projection; the curtilage of No 15 extends the length of the application site. On the western side of the Gladys Ave/Lovedean Lane junction lies a nursing home. Gladys Avenue is primarily characterised by bungalows and No 60 has a drive and garage on its northern boundary abutting the application site.

2 Recent Planning History

APP/17/00068 - 1No. 1 bed chalet bungalow and new crossover to parking area.,
Refused, 14th March /2017
4 reasons - incongruous development cramped over intensive, unneighbourly,
inadequate amenity space and impact on privacy living conditions for future occupant,

lack of contributions.

APP/16/00820 - Erection of detached 1No.2 bed bungalow.,
Refused 11th October 2016 - 4 reasons incongruous development/cramped,
Unneighbourly, Over-intensive/unacceptable amenity space, lack of contributions.

APP/15/00718 - Construction of 1No. 2 bed detached bungalow with vehicular and pedestrian access onto Gladys Avenue.
Refused 19th August 2015 : 5 reasons: over dense/character, overbearing excessive building bulk, inadequate amenities for future occupiers, lack of cycle storage, lack of contributions.

APP/13/00133 - Construction of 1No. 2 bed detached bungalow and single detached garage with new access from Gladys Avenue
This was a revised scheme lowering the roof profile of the bungalow & windows
Refused 3rd April 2013 4 reasons: overly dense; overbearing excessive building bulk; inadequate amenity for future occupiers; lack of contributions

APP/10/00499 - Construction of 1No. 2 bed detached bungalow and single garage with new access from Gladys Avenue
Refused 29th November 2010 4 reasons: overly dense; overbearing excessive building bulk; inadequate amenity for future occupiers; lack of contributions

3 Proposal

- 3.1 Demolition of existing outbuilding and erection of 1No. 2 bedroom bungalow.
- 3.2 The proposed bungalow would provide 2 bedrooms, a living area/kitchen and bathroom. It would be set back from Gladys Avenue by approximately 4.4m (closest point), with two parking spaces provided in the north-east part of the site. The bungalow would be set between 1.725m and 2.15m from the western boundary (rear garden of 15 Lovedean Lane), and 6.08m from the northern site boundary with 17 Lovedean Lane.
- 3.3 The proposal is to set the building into the existing slope effectively resulting in the building being set into the slope at the western (Gladys Avenue side) and being set at approximately ground level at the eastern side. The eaves height is approximately 2.45m and ridge height 4.164m.
- 3.4 The main usable garden area would be located to the northern side of building with a smaller sloping front garden and narrow area of land to the rear and south of the building.

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)
CS21 (Developer Requirements)
CS9 (Housing)
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)

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

5 Statutory and Non Statutory Consultations

Building Control

No adverse comments

Crime Prevention -Minor Apps

No comments received

Engineering Services

Design and access statement: factual error: page 3 context - reference made in para 2 to service 300 bus. This only ever ran once a week (so only 'regular' by some stretch of the word) and was withdrawn completely without replacement in 2016. Nearest buses are on London Road (service 8) and at Eagle Avenue terminus (services 7 and 39).

Design and access statement: surface water (page 9): drainage condition required - soil capacity test at location of proposed soakaway will be required to verify proposed use and confirm size required. An exceedance strategy to be submitted to the LPA demonstrating where surface water will flow to if the soakaway is not maintained or otherwise fails, and that this will not cause detriment to the proposed property or any of its neighbours. Notwithstanding this, condition that the soakaway is to be maintained in full working order throughout the life of the development.

Development Engineer (Highways)

The parking proposals will require the construction of a dropped vehicle crossing and the blocked car parking area will need to be constructed in a porous material or have positive drainage.

An informative notice with regard to the construction of the vehicle crossing requiring the approval of the Highway Authority will need to be added to any permission

Landscape Team

Further Comments:

Thank you for the updated plan.

Previous comments regarding the trees remain unchanged.

Proposed Berberis hedging (Berberis ottowensis x Auricomma) is typically supplied at heights ranging between 40cm and 1m height. The plant is fast growing (capable of exceeding 2m height and 2m spread if left unclipped) and very spiny – not a plant

suitable for conditions where space is limited. It is also deciduous so would offer little winter benefit. Should this application be approved, I suggest a range of climbing plants (including evergreen varieties) with appropriate trellis supports incorporated into the fencing.

The proposed cycle parking is an improvement, but requires an increase of paving surround to facilitate access.

From the additional levels information, I confirm:

- 1:12 gradient ramps are below 5m length so deemed compliant with Part M (assuming M4(1) requirement for a visitable dwelling).
- The landing adjacent to the northern boundary is obstructed by the swing of the gate (contrary to Part M4(1) – either the gate should be deleted or the landing enlarged).
- Anticipating the parking bay gradient will remain relatively shallow (for both highway visibility and drainage management), the plan requires sufficient space for retaining wall separation from the pedestrian route (preferably with an upstand wall or some other means to protect the dwelling and walkway from vehicle impact).

Officer comment: *In the event that the application is recommended for approval, further details in relation to landscaping and the ramp/parking bay relationship could be reserved by condition in order to address these comments.*

Original Comments:

Further to review of the submitted proposals, I confirm the following comments from the Landscape Team:

We are concerned the proposed tree planting is close to the proposed dwelling, existing neighbouring dwellings and the associated sewer connection. Whilst it may be feasible to adjust the proposed dwelling foundation depths to minimise risk of structural damage, the existing dwellings would remain at risk. The future growth of these trees could also limit enjoyment of an already cramped external space.

We are also unconvinced that beech hedging is an appropriate choice, particularly for the eastern side of the property. Even if tightly clipped, 2m height beech hedges will accommodate a width range between 600 – 800mm, which will further reduce an already cramped external space.

The proposal for cycle storage is not sufficient and lacks an appropriate means of access onto the highway (it is also uncovered and not overlooked for natural surveillance benefit).

Proposed levels shown on the plan also raise some concerns – a paving level close to the entrance door (67.00) is 300mm above the finished floor level at 66.70 (should this not be a level threshold?) Noting the proposed dwelling is at least a metre lower than the adjacent footway (western boundary), The pedestrian access from the highway appears to comprise a series of ramps. Unfortunately, there is a lack of sufficient levels / gradient information, or any indication of retaining walls to demonstrate whether this proposal is workable or accessible.

Public Spaces

No comments received

Traffic Management

This development conforms to the Havant Borough Council residential parking policy, therefore there are no traffic management concerns.

Waste Services Manager

I have no concerns of waste collection regarding this planning application, thank you.

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: 19

Number of site notices: 2

Statutory advertisement: Not applicable.

Objections: 5 Representations (7 Names)**Character of Area**

Over cramped

Over Intensive

Squashed in

Out of place

Overdevelopment

Density and reduced aesthetic quality of area

Plot size/depth incompatible with surrounding development

Not in keeping with surrounding properties.

Size of plots immediately surrounding the site are significantly larger

Does not respect scale, proportions or density of surrounding buildings

Loss of privacy

Town cramming

Cannot follow building line

Does not respect local context and street pattern and particularly, the scale and proportions of surrounding buildings, and entirely out of character of the area, to detriment of the local environment.

Impact on Neighbours Amenities

Overbearing

Overlooking

Changes in levels

Dominate our previous spacious setting and outlook

Loss of privacy

Noise/disturbance from garden and parking in close proximity

Fence replacement questioned

Loss of outlook

10m between proposed dwelling and 'boundary' of neighbouring properties not achieved

Back of property at ground level is primarily glass to achieve good levels of day light into large room. Proposed development extremely imposing and would dominate

visual aspect and severely impair light ingress via overshadowing
Fence height already 2m high from our side No.15 due to levels
Building would dominate the current spacious setting and outlook from both with No.15 and from the garden
Would box us in
Proximity - impacts on noise/smell
Access drive proximity and associated impacts
Impact on peaceful enjoyment of our garden
Positioning now so close to 60 Gladys Avenue that this will only emphasise even more the cramming in effect and look out of place
Photographs submitted do not show true level of rear windows

Drainage

Drainage issues major concern
Levels increase concerns
Concerns over flood risk
Conflicts with HBLP policy CS15
Issues of drainage both water and sewage with regard to further dwellings so close to my home
Request for Southern Water to be consulted
Existing surface water drainage problems
Water table near surface
If planning permission given request all surface water be entered into main drainage so that it does not affect our gardens
Most significant surface water drainage issues to No's 11 and 9 Lovedean Lane
Under 2 years ago we had to invest in better drainage at the front of our property as heavy rainfall resulted in an area of flooding right outside our front door. Work completed included raising of the floor level in entrance hallway.
Concern over connection to public sewer in Gladys Ave due to levels

Amenities of New Dwelling

15 and 17 will overlook proposed bungalow from both ground and first floor levels, contravenes policy CS16
Design and layout cannot possibly concentrate overlooking away from adjacent properties contrary to CS16

Policy

Contrary to HBLP (CS) policy CS16
Significant amount of development in surrounding area question how the proposals meet or even contribute to core strategy's residential development needs.
Contrary to Borough Design Guide SPD

Precedent

Question precedent of previous permissions
Each application assessed on its own merits
Previous refusals on this plot could be argued to set a precedent

Other Matters

Accuracy of drawings questioned in particular in relation to sections/site size
Impact on Human Rights (Peaceful enjoyment of our property)
Case law Britton v SOS whereby private and family life encompasses the home as well as the surroundings
Would contravene these rights
Previous refusals

Plot size questioned
Public consultation in D&AS disputed
Site not a wasteland it is an unkempt piece of garden
Our views on the design/plans were not sought
Enough building of houses on gardens in Gladys Avenue already
Should not mean that the only solution to prevent further neglect is to build a house on it. Could be turned into allotment or simply returned to a garden.

Support: 3 Representations (4 names)

Character of Area

Would like to see modest bungalow replacing the wasteland that has greeted us on entry to Gladys Avenue
Bungalow with build characteristics sympathetic to all other bungalows on this side of Gladys Avenue
Set back in line with other bungalows in the Avenue
Bungalow re-sited much further back and benefits from sloping nature of the plot
Current empty piece of wasteland incongruous in the street scene
Plot as wide if not wider than many of its neighbours
Whilst it may be shallower than those of the 1930's dwellings in Gladys Avenue when gardens generally larger, not the case in any modern development. Greater depth than many developments in urban areas approved by HBC and certainly more than the new build in Gladys Ave.
New bungalow with substantial planting styled to be sympathetic with neighbouring bungalows
Sits unobtrusively to rear of the plot, respects building lines and context of area
Substantial planting supporting character of area and streetscene
Site has not, for seven years, represented a 'Spacious setting and outlook' but derelict wasteland overgrown by brambles inhabited by vermin to the detriment of the avenue.
In keeping with street scene
Not cramped or incongruous

Precedent

Why was approval given to 8 London Road site - virtually identical issues
Sets a precedent for approval of Gladys Ave application
Excerpts from Officer Reports of planning applications approved by HBC which have less garden depths, less separation distances, different build line or have overlooking issues

Impact on Neighbours

Seek to end misery of living next door to this wasteland
HBC Design Guide states 'Some overlooking of gardens from the upper floors of dwellings will be unavoidable in most urban and suburban housing layouts.' This flexibility evident in most professional new builds in Borough. Seems different rules apply to professional developers over self builds.
New proposal places bungalow at furthest extent of the long garden at 15 Lovedean Lane and at the lower level of No. 15, close boarded fencing between properties and landscaping, together with reduction in height ensures minimal 'adverse impact to the outlook and amenities of occupiers of that property.'
Oblique view of the bungalow afforded by position of 15 Lovedean Lane does not support the assertion that 'The full extent of development would be clearly visible above the existing fence.' Certainly not the case from lower windows and there is only one small upper bedroom window at the far side of the house.
Location of amenity areas means only a small amount of the amenity space will adjoin

garden No.15, in urban areas, it is expected that some activity is normal. Modest dwelling will be occupied by small family or elderly residents so any effect on tranquillity and privacy minimal and acceptable. Borough Design Guide states that garden length should 'normally' allow 10 metres between the dwelling and the boundary and a separation distance 20 metres. Many examples with much smaller spacings than those at the plot. Any effect to tranquillity and privacy minimal to both parties. Overlooking between properties minimal

Amenities of New Dwelling

Design allows for adequate amenity space divided into interesting private and safe areas.

Very close to public woodland which opens into a large expanse of parkland with children's play area, a reason for which approval previously given by HBC for a dwelling with virtually no amenity space

Amenity space suitable for a small dwelling, is well spaced from neighbouring properties, landscaped and fenced allowing privacy for all.

Drainage

Not a previous reason for refusal

Planning Policy

In line with Government Policy to approve permission wherever possible and support self-build to increase desperately needed housing stock

Plot not a garden area as it has been derelict for 7 years - HBC design Guide 'acknowledges that back land and infill developments have a role to play in delivering the Councils housing and development targets'.

Density accords with current government guidelines requiring higher dph to address housing crisis

Contributes in small way to addressing the housing crisis

Flies in face of Governments aim to increase number of houses being built by instructing planning departments to grant planning permission 'wherever possible'

More houses per hectare to increase housing supply - garden sizes and distances between properties are acceptably less than previously

Why is this piece of wasteland being treated differently?

Sustainability

Sustainable use on an underused and abandoned plot of land.

Other matters

Increasingly difficult to understand refusals - each application has proposed successively smaller dwellings and positions to attempt to address reasons for refusal. Our supportive neighbour has addressed each of the reasons for refusal in previous application.

Not acceptable to ignore future of the plot

Fresh appraisal of new application by officers not associated with planning history to ensure equitable solution

Proposal addresses previous reasons for refusal

Should be approved in the best interests of Gladys Avenue residents

Needs of majority of residents of Gladys Ave should be considered above those of occupants and objectors who live in Lovedean Lane

Nimbyism from neighbours wanting to increase their own garden

Previous agents cannot understand planning departments reluctance to allow development of this wasteland and recommended appeal to the Planning

Inspectorate.

Understand Head of HBC Planning also suggested appeal. Seems a blatant abuse of taxpayers' money, especially if costs awarded to applicant

Application needs to be considered in new light due to the modifications, precedent and government guidelines.

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 on the Character and Appearance of the area
- (iii) Impact on neighbouring properties/future occupants amenities
- (iv) Highway considerations
- (v) Drainage
- (vi) Developer Contributions

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable in principle and where the effective use of land is encouraged. In this context, the addition of a new dwelling in such a location would make a modest contribution to the Council's overall housing requirements, and this weighs in favour of the proposal. The acceptability of the site in detail also needs to be considered, however, in the context of the usual development management criteria to establish whether the proposal would represent a sustainable form of development.

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

7.3 Developing garden areas can have a detrimental impact on the character of an area and the amenities of occupants, and decisions should be informed by the quality of a scheme in relation to its context. The street is characterised by detached and semi detached dwellings generally set back from the road by distances in excess of 5m with relatively deep plots.

7.4 By comparison, the proposed bungalow would have a significantly shorter plot than the existing properties in Gladys Ave, and would sit closer to the road with a 4.4m set back to the front flat roofed window projection and 5m setback to the main part of the bungalow. No. 60 Gladys Ave is set back approximately 7.2m. Whilst the side wall of No.17 Lovedean Lane sits closer to Gladys Ave and is only set back by 1.6m this property is situated on a corner plot and reads as fronting Lovedean Lane.

7.5 The application indicates that the development would be set at a significantly lower level than the pavement, and it is noted that the width of the plot is commensurate with other properties in Gladys Avenue although the depth of the plot is significantly less deep. It is noted that the proposed bungalow would be viewed more readily from the street scene due to the proposed low frontage fence and the opening up of the driveway, nevertheless, the building would be lower than the neighbouring properties No.15 Lovedean Lane and 60 Gladys Avenue. It is therefore considered that the new building would be relatively recessive when viewed from Gladys Avenue.

7.6 The proposal would result in the development of a much smaller and shallower plot

than those in its immediate context. In consideration of this point it is important that the local character and context is respected with the spacing and character of a development comparable to or sympathetic with that of the surrounding area. In this case it is considered that the combination of the plot width, the lower garage building to the side of No.60 Gladys Avenue, the gap to the northern boundary with No.17 Lovedean Lane and the set back and set down design of the dwelling when viewed from Gladys Avenue would help to reduce the impacts on the character of the wider area from public vantage points. It is recognised that the density of development is greater than the surrounding development, however, the relatively modest size and height of the building and the width of the plot would help to assimilate the development into the existing street scene. Policy CS16 requires development to respect its local context with the characteristics of the area (including building lines, plot widths and depths) used to inform the design. It is recognised that the design has attempted to address these concerns as far as possible on this restricted site, on balance, it is considered that this has resulted in a development that is essentially recessive in character when viewed from the public domain.

7.7 The applicant has argued that a number of other applications permitted by the Council set a precedent for the proposed development. An important aspect to the consideration of any planning application is that the proposal should be treated on its own merits. Notwithstanding this it is appropriate for the Council to analyse applications in a consistent manner recognising that each potential site has its own defining characteristics (for example in relation to topography, neighbouring relationships, landscaping etc). It is also recognised that developments should make the best use of land and that this may lead to higher density development where this is appropriate to its context and constitutes sustainable development.

7.8 Having carefully considered the proposal in terms of its impact on the character and appearance of the area it is considered that the development would have a limited impact in relation to the character and appearance of the area when viewed from the Gladys Avenue street scene. The site area and shape is also similar to that of other developments permitted elsewhere in the Borough.

(iii) Impact on neighbouring properties/future occupants amenities

7.9 The main impact relates to 15 and 17 Lovedean Lane and to 60 Gladys Avenue. It is also necessary to consider whether the future occupants of the dwelling would be afforded an acceptable living environment.

7.10 In relation to No.15, as the land falls in an easterly direction this property is situated at a lower level, below the application site. The proposed chalet bungalow would be sited between 1.725m and 2.15m from the common boundary, with the north eastern corner of the proposed bungalow roof approximately 8.6m from the south western corner of No 15. It is considered that given the levels and the proximity of the development to No. 15, that both the glazed rear part of No.15 and its rear garden area would be significantly impacted by the proposed development. The development would be clearly apparent above the existing or new fence proposed. Sections show that the dwelling, whilst set into the slope on the Gladys Avenue side, would be at existing ground level to the rear with FFL set above the existing ground level. This would result in an eaves level of 2.5m and a ridge height of 4.164m. Even if the fence proposed is 2m high on the application site both the wall and the roof would be dominant in views from No.15, with the impact accentuated by No.15's lower ground levels. It is also worth noting that a fence of 2m height on the application site would be higher when viewed from the garden of No.15 due to changes in levels, and this would

itself impact on the amenities of the neighbouring property. Hedge planting is suggested at 2m height along the eastern boundary, however if maintained at 2m height as shown this would have no impact in terms of screening from the east and if allowed to grow higher would itself be likely to negatively impact light into the application site and No.17. It is noted that concerns have been raised in relation to the suitability of the planting by the Councils Landscape Officer and although revised details could be reserved by condition, the restricted site area makes significant landscaping difficult to achieve.

- 7.11 This close proximity to the garden and dwelling at 15 Lovedean Lane, with the new bungalow extending along much of the length of its rear garden, would significantly adversely impact the outlook and amenities of occupiers of that property. Furthermore since the principal proposed amenity space adjoins the rear garden of 15 Lovedean Lane, the increased activity and noise from the proposed dwelling on the site concentrated into this small space close to neighbours at No.15 would inevitably result in reduced tranquility and privacy.
- 7.12 In respect to the impact on No 17, the proximity of the bungalow to the shared boundary would result in the outlook from No 17 being affected - the building to building separation would only be approximately 14m from the nearest point of No.17 and 18m to the rest of No.17. This would result in a loss of the previously spacious setting and outlook, to the detriment of the amenity of the occupiers of No 17. Again, the principal proposed private amenity space and parking area for the dwelling would be set adjacent to the rear garden of No.17 reducing the tranquility and privacy of both amenity areas.
- 7.13 In respect to the relationship with No. 60 Gladys Avenue, this property is a bungalow with a garage set closest to the application site. The forward projection of the new dwelling would be rather dominant when viewed from the frontage of No.60, however, given the set off of the front window beyond the garage it is not considered that this relationship would be unacceptable.
- 7.14 Turning to the quality of environment that would be created for occupiers of the proposed dwelling, the main amenity area for the proposed dwelling would be located to the northern side of the bungalow, having an average depth of approx 9.3m and width of approx 6m. This area is considered very limited. The amenity area would not meet the minimum required in the adopted Borough Design Guide 2010 SPD which states at para 5.13 garden depths should be "10 metres in length". The proposed amenity space only has a depth of 9.3m, and the nature of the available space would not reflect the more spacious garden sizes of the surrounding area. Furthermore, in terms of its use by future occupiers, the area would be directly and intrusively overlooked from 15 and 17 Lovedean Lane. Being two storey dwellings these would have views into the site affecting the enjoyment of the limited garden for future occupiers. The first floor windows in particular of Nos 15 and 17, with a Juliet balcony full depth window to No. 15, and the first floor bedroom of No.17, would also provide views into living room and bedroom windows in the proposed bungalow, causing harm to the amenities of the occupiers. Given relative levels there are also likely to be views from the lower floor windows of No.17 and from the rear raised patio area of No.15 across the application site. Whilst some tree planting is indicated on the submitted site layout plan in an attempt to address this concern, this is not considered sufficient to overcome the concerns raised given the direct proximity of Nos 15 and 17 to the application site.
- 7.15 The proposed dwelling would be set into the slope and there is a proposal for planting

to the northern and eastern sides of the site. The restricted site area, the change in levels, proposed planting and boundary treatments all result in an oppressive setting for the dwelling with reduced outlook and light to windows. This would further reduce amenity for occupiers of the proposed dwelling.

(iv) Highway considerations

- 7.16 The submitted plans indicate 2 parking spaces which meets the current parking standards and the Development Engineer does not raise an objection to the proposals.
- 7.17 Cycle parking is required for the proposal (2 spaces). These are shown on the latest plan and can be secured by condition in the event that planning permission is recommended.

(v) Drainage

- 7.18 Drainage concerns have been raised by nearby residents in relation to existing surface water drainage problems to the east of the site where land levels slope down which could be exacerbated by the proposed development and in relation to foul drainage in relation to levels and the proposed connection to the Gladys Avenue foul sewer.
- 7.19 In relation to surface water drainage the proposal includes the use of soakaway drainage and the Councils Drainage Engineer has commented on the proposal and made recommendations. Had the application been recommended for planning permission, further investigation of drainage conditions, the design solution and system maintenance would have been secured by a planning condition to ensure that an acceptable drainage solution could be achieved. With this in place it is considered that an acceptable drainage scheme to serve the site could be secured.
- 7.20 In regards to foul drainage, whilst there would be a change in levels between the site and Gladys Avenue, the level of underground services would need to be investigated to ascertain whether a pumped system would need to be used. This is considered to be a technical issue for any developer and the infrastructure provider.

(vi) Developer Contributions

- 7.21 The Community Infrastructure Levy (CIL) rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20th February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Waterlooville.
- 7.22 The proposal would result in new residential development which is CIL liable and the appropriate forms have been submitted. The gross new internal floor space for the dwelling has been calculated by the agent as 59 sqm although an existing outbuilding is to be removed with a floorspace of 11.5m making a net additional 47.5sqm which generates a CIL liability. It is noted that the applicant is claiming self build exemption.
- 7.23 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. 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 which was adopted on 30 June 2014, covers this issue and allows for a financial contribution to be made towards mitigation measures. This is set at £181 per dwelling to the Solent Recreation Mitigation Project. For the proposed dwelling, plus admin and monitoring fee, a payment of £210 is due. This payment has not been pursued at this stage given the other concerns in relation to the application. As submitted, the proposal therefore fails to accord with Policies CS11, CS21 (Developer Contributions) and DM24 .

8 Conclusion

- 8.1 In weighing the overall planning balance in relation to this application, it is acknowledged that the proposed dwelling would make a modest contribution to the Council's overall housing targets in an established urban area, and there is both a national and local policy objective to encourage the effective use of such land. This must be balanced, however, with the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. When considered in detail, whilst the impact on the character and appearance of the area is on balance considered acceptable, it is clear that the proposed bungalow would have an over dominant impact upon the outlook and amenities of the neighbouring properties at both 15 and 17 Lovedean Lane, to the significant detriment of their residential amenity, and contrary to Policy CS16. It would also not provide appropriate residential amenities for future residents of the development. Furthermore, the appropriate financial contribution towards ecological mitigation measures has not been received - although it is acknowledged that in the event of any appeal, both this contribution and the CIL payment can be subsequently made to address these issues.
- 8.2 Taken together, the benefits to be derived in economic and social terms from the development of a single dwelling on this plot are considered to be outweighed by the social and environmental dis-benefits of the proposal, and the recommendation is therefore for refusal of planning permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/17/00651 for the following reasons:

- 1 The proposed development would by reason of its siting, proximity to boundaries, mass, bulk and changes in levels have an overbearing impact on 15 and 17 Lovedean Lane. The proposal would detract from and dominate the previously spacious setting and outlook from these properties and introduce an unacceptable relationship between dwellings to the harm of the residential amenities of the occupants. The rear private gardens of No. 15 and 17 and their rear rooms would also be in close proximity to the limited private amenity space of the proposed dwelling and this is likely to lead to loss of privacy and disturbance from noise and activity. The proposal is therefore considered to result in an unacceptable relationship to adjoining residents and is contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant

Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.

- 2 The proposed development would constitute an undesirable over-intensive use of the site which would not provide satisfactory private amenity space for future occupiers. The amenity space would be overlooked by 17 and 15 Lovedean Lane to the harm of the occupants privacy. Furthermore, the proposals to set the dwelling into the slope, the boundary treatments and landscaping proposals combined with the restricted nature of the site would result in the proposed dwelling having a poor outlook and restricted light. The north facing living area and bedroom windows would be directly overlooked further harming the residential amenities of future residents. As such the proposal would be contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.
- 3 The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Recreation Mitigation Project, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the Local Planning Authority. These seek to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. The development is therefore contrary to policies CS11 and 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 2012.