
Site Address: 11 Queen Annes Drive, Havant, PO9 3PG
Proposal: Demolition of the existing dwelling and erection of 2No. detached 4 bed dwellings with associated access and parking.
Application No: APP/17/00451 Expiry Date: 23/06/2017
Applicant: KPR Homes Ltd.
Agent: Miss Glover Case Officer: Daphney Haywood
 Pure Town Planning
Ward: Bedhampton

Recommendation: **REFUSE PERMISSION**

1 Site Description

11 Queen Annes Drive, Havant, comprises a detached 2 storey dwelling circa 1950s, located in a primarily residential area comprising properties of similar character.

2 Planning History

None recent

3 Proposal

Demolition of the existing dwelling and erection of 2No.detached 4 bed dwellings with associated access and parking.

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)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS9	(Housing)
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)
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

A 300mm diameter storm water public sewer about 2m deep crosses the site and will be within 3m of both proposed properties. Southern Water should be consulted.

Crime Prevention -Minor Apps

No comments received

Development Engineer - Highways

This application should be dealt with under Standing Highway Advice because it is one additional unit and no alteration to the existing access. However I would suggest that it would advantageous if the new property (to the east) had its own dropped kerb access to the Highway. In which case I would have no adverse comment other than turning on site must be provided for both properties.

Officer comment: The submitted plans do allow for an alteration to the existing access to allow for separate access to each proposed property. Turning on site is not available however - see section 7.

Portsmouth Water Company

Surface Water drainage

The proposed development lies within an area of sensitive groundwater used for human consumption and lies in a Source Protection Zone One C (SPZ1C) of the Havant & Bedhampton Springs groundwater supply. The Springs are a public water supply that abstracts groundwater for public consumption. Due to the sensitivity of the aquifer Portsmouth Water have a presumption against the use of deep bore soakways for surface water disposal.

Piling & Foundations

The proposed works are situated in a sensitive groundwater catchment and there are potentially significant risks associated with groundworks in this area. Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. Thus, if piling is required it should be demonstrated that any proposed piling will not result in contamination of groundwater.

Public Spaces

No comments received

Southern Water

Diversion of the sewer may be required, and may be possible. Informative requested in respect to connection to the public sewer.

Waste Services Manager

No objection

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: 6

Number of site notices: one

Statutory advertisement: Not applicable.

Number of representations received: 8

Comment	Officer Comment
Loss of privacy from first floor windows	see section 7
Loss of light, especially in the winter months	see section 7
Gardens very small and out of keeping with neighbouring properties and the development would infringe Human Rights in respect to right to peaceful enjoyment of possessions	see section 7
Add to existing parking problems as garages are too small and in any event would not be used for parking. Another dropped kerb would impact highway safety	see section 7
Garden grabbing, loss of trees and planting and associated wildlife. Trees should be assessed for TPO	The trees are not of sufficient wider public amenity to merit a TPO see section 7
Overdevelopment, design not in keeping and out of character and detrimental to street scene	see section 7
Does not provide sustainable development	The dwellings would need to comply with the building regulations
In proximity to main sewer	see response form Southern Water

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 and parking
- (vi) Contributions and CIL

- (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. Policies CS9, and CS17 of the Core Strategy together with Policies AL1 and AL2 of the Allocations Plan support residential development within the built up area.

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development however this should not be to the detriment of the local area.

Paragraph 6 makes it clear that regard must be had to the document as a whole in determining what the Government's view of sustainable development means in practice. It promotes the effective use of land through the re-use of previously developed land. With paragraph 49 stating that *"housing applications should be considered in the context of the presumption in favour of sustainable development."*

However, paragraph 56 makes it clear that *"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* Paragraph 58, bullet 4 seeks to ensure that development responds to local character, with bullet 6 requiring good architecture.

Paragraph 59 seeks to ensure the sustainable construction of the dwellings, whilst paragraphs 60 and 61 seek to ensure the development is designed well accounting for local context. Paragraph 64 however, requires development of poor design to be refused.

Policy CS16 of the Havant Borough Core Strategy 2011 seeks to reflect the requirements of the NPPF at a local level. As amplified by the Borough Design Guide SPD, it encourages the principle of development within the settlement area, provided that any new development pays proper regard to the character and appearance of the area, design and neighbour amenity.

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

The area is predominantly residential in character and Queen Annes Drive comprises mainly detached houses characteristically circa 1950's of common architectural detailing but individual design. The main garden to No11 lies to the side and this is similar to the situation at 21 and 23 Parkside which lie a short distance to the west, with the main garden located to the side of these corner properties.

The proposed development would result in the infilling of a gap in the frontage and whilst the proposed dwellings would be more substantial with 2 storey development across much of the width of the plots and a bulkier roof form, the general building line and character of development incorporating gaps, traditional design and materials would reflect the existing street character, and plot widths (but not depths) would be similar to those of adjacent properties. It is therefore considered that the new development would assimilate satisfactorily into the street scene.

(iii) Impact upon residential amenity

The main impacts to be considered in this regard relate to No's 9 Queen Annes Drive to the east and 6 Norman Way to the south, and also the level of amenity afforded to the new dwellings in their own right. In respect to the properties opposite in Queen Annes Drive, while there would be some impact on outlook and light from the increase

in building bulk, over 20m separates the development from the front walls of these dwellings, and this separation is considered sufficient to mitigate the impacts of the development in these respects, in accordance with the guidance in the adopted Design Guide SPD. This is also a common front-to-front relationship throughout Queen Annes Drive.

Regarding 9 Queen Annes Drive, the depth of the house adjacent this dwelling will extend only slightly beyond no 9, which has no side windows and the impact of the built form is not considered to be excessive. However the proposed development has small sized gardens, with only a small proportion of the depth of the plots complying with the 10m minimum guide for plot depths set out in the Borough Design Guide, as a result the activities associated with what is a family sized dwelling would be concentrated in a restricted area and given the close relationship with No9 the development would be likely to be intrusive and potentially result in disturbance to the occupiers of No9 to the detriment of their residential amenities. No 6 Norman Way which lies to the south would suffer a similar impact, but to a greater level as it does not benefit from a long garden like No9 and also there would be 2 family dwellings with restricted garden sizes adjoining the boundary with No6.

In addition to the above impact on the amenities of No6, there would also be a loss of outlook as the proposed dwellings would be some 5m from the boundary and whilst not full 2 stories the development at this point would have an eaves height of 3.4m with the roof rising above, such that at approx. 6.5m from the boundary the roof would be the equivalent of a 2 storey eaves height. It is considered that this relationship would be overbearing and intrusive when viewed from No6 to the detriment of the residential amenities of that property.

The proposed dwellings have been designed such that first floor windows other than roof lights would be located 10m from the boundary. While the roof lights which are closer than this could result in loss of privacy it would be possible to address this by requiring a minimum cill height of 1.7m. Therefore on balance it is considered that loss of privacy cannot be substantiated as a refusal reason.

Turning to the amenity of the new dwellings themselves, as stated above they would have uncharacteristically small private garden areas of only 5m depth over much of the plot widths - only behind the garages does this increase to 9.5m (Unit 1) and 10m (Unit 2). The garden areas therefore generally fail to achieve the minimum depth expected in the Borough Design Guide SPD of 10m, and given that the dwellings proposed are substantial two-storey dwellings with 4 bedrooms in each, and thus capable of accommodating large families, the absence of adequate private amenity space is likely to significantly and adversely affect the amenity levels of the properties for future occupiers.

(iv) Highways and parking

The representations have raised concerns regarding the impact of traffic and parking. The proposal provides a garage and 2 parking spaces for each of the 2 dwellings, and this accords with the Council's adopted standards. Additionally the garages would be 3.5m wide by 6.4 and exceed the Parking Standards requirements of a minimum size of 3 by 6m. In respect to access the Development Engineer has assessed the proposal and has no adverse comments in principle. Turning is not available on site as requested by the Development Engineer - however as this is a common characteristic of many properties in Queen Annes Drive, which is a suburban residential street where traffic speeds are unlikely to be high, it is not considered that the impact of

development on highway safety would be sufficiently harmful as to warrant a refusal of planning permission on this ground. The NPPF sets out that a refusal of planning permission on transport grounds should only occur where the impacts arising are 'severe' and this is not considered to be the case in this instance.

(vi) Developer Contributions and CIL

In relation to developer contributions, should permission have been recommended for approval it would be CIL liable. . An informative will be added in relation to CIL in the Decision Notice.

Given the proximity of the application site to sites designated for their nature conservation interest the application has been assessed under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) (The Habitats Regulations). The proposal would lead to a net increase in population, which would be likely to lead to a significant effect (as described in Regulation 61(1)(a) of the Habitats Regulations) on the Chichester and Langstone Harbours Special Protection Areas (SPA). Furthermore the development is not necessary for the management of the SPA. As a result a mitigation package is required, which can be secured through a financial contribution to the Solent Recreation Mitigation Project at a scale of £181 per dwelling (net) (plus monitoring and administration fees) - Policy DM24 of the Allocations Plan refers. Subject to this mitigation package being secured through a S106 Agreement, the level of mitigation provided would be considered sufficient to remove the significant effect on the SPA which would otherwise have been likely to occur. However, as the application is to be recommended for refusal the required deed and payment have not been received and therefore this matter has not been addressed.

8 Conclusion

Whilst making a modest contribution to the housing need within the Borough, it is clear that the proposal would have an adverse impact on the amenities of the neighbouring properties and would not provide an adequate level of private amenity space for future occupiers. Further, no mitigation package is in place to address the significant effect on the SPA which will occur through the proposed increase in the number of dwellings on the site. It is therefore considered that the proposal would significantly and demonstrably fail to provide a sustainable form of development, and a refusal of permission is recommended.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/17/00451 for the following reasons:

- 1 Development of the site in the manner proposed would amount to over-development, in that it would give rise to unsatisfactory plot sizes and to a cramped and congested layout. This would be harmful to the amenities of the neighbouring properties through having an overbearing impact on the adjoining properties and adversely affecting residential amenity. Furthermore, having regard to the size of the new dwellings proposed, the development would fail to provide future occupiers of the new dwellings with adequate amounts of private outdoor garden space. The development is therefore

considered contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the Havant Borough Design Guide Supplementary Planning Document 2011 together with the National Planning Policy Framework 2012.

- 2 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.