

Recommendation: **GRANT PERMISSION**

CS16	(High Quality Design)
CS21	(Developer Requirements)

DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

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: 8

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
---------	-----------------

None received

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

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. Permitted development rights were not withdrawn for the already approved dwelling but this small rear extension now sought cannot be done as p.d. because the dwelling is not yet constructed.

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

The enlarged footprint, being a modest increase of 0.6m in depth across the rear, will not materially affect the character and appearance of the area. The site is large enough to accommodate the extra depth and would still retain a rear garden depth of

14m which is in excess of the minimum 10m requirement sought in the Borough Design Guide. 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

The attached dwelling, No 96 has a ground floor central bay window and door providing the only light to the rear living room area. The depth of the proposed extension, at 2.4m, represents the maximum depth that complies with the 45 degree code i.e. a 45 degree line drawn would cut the midpoint of this adjacent habitable window. Given the orientation of the site this window faces due south and will still receive plenty of light. Since the height has also been kept relatively low, with eaves of 2.4m and maximum height of 3.6m then the outlook from No 96 is not considered to be overly overbearing.

On balance, it is considered that the proposal 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

The application shows on site parking to the front of the retained dwelling and the front of the proposed dwelling. Two spaces are provided for each dwelling. This remains unchanged from the previously approved plans.

It was previously noted that the proposal would see the parking accessed via the dead end of Stockheath Way, so whilst vehicles would have to reverse out from the site this would not be prejudicial to highway safety. The fencing is proposed to be 0.9m here, reducing to 0.6m to maintain visibility.

It is considered that the proposed parking and cycle storage would accord with the Council's adopted standards and would not result in harm to pedestrian or highway safety. Details of the height and design of the cycle shed are not submitted but can be obtained by condition.

(v) Contributions

The development is CIL liable and under the previous application the floorspace of 80.68 sqm generated a CIL liability of £6,454.40 in April 2015 . The enlarged floorspace results in a total of 90.08 sqm and since the S73 app will supersede the original, CIL is recalculated using the original indexation rates of the original permission in 2015. This equates to £8,171.54. the Draft Liability Notice has been sent to the agent.

Additionally the application site is within the identified mitigation zone for habitats which form part of the Chichester and Langstone Harbours Special Protection Area (SPA) which is a Wetland of International Importance under the Ramsar Convention (Ramsar Site). The proposal would result in new residential development within the identified 5.6km Special Protection zone and under the previous application the appropriate SRMP S106 deed and payment was received. However this application is

by a different applicant and hence the SRMP contribution and Deed has been sought again and received from the current applicant. It is noted that assuming this permission is implemented, then at that stage, the previous applicant can seek to have the previous payment refunded.

8 Conclusion

8.1 It is considered that the slightly enlarged dwelling proposed would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval. As a Sec 73 application the original conditions are repeated, but in this instance decision notice APP/14/01101 imposed the standard Level 3 Code for Sustainable Homes condition - but now in 2017 this is not required and will be omitted.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00018

(A) subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission APP/14/01101 was granted (that permission expires on 10th April 2018).
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Apart from the construction of footings/foundations and any works below ground level, the construction of the dwelling hereby permitted shall not be carried out until:
 - i) Samples and details of all external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
 - ii) Details of the height and design of the cycle store have been submitted to and approved in writing by the Local Planning Authority. Thereafter the shed shall only be constructed in accordance with the details thus approved.**Reason:** To ensure the appearance of the development and the height and design of the cycle shed is satisfactory, having due regard to Policies CS16 (1) and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 The dwelling hereby approved shall not be occupied until the parking areas, as shown on approved plan P010, have been surfaced and marked out in accordance with the approved details and the secure cycle shed shown on approved plan P008 has also been constructed. The parking areas shall thereafter be permanently retained and used solely for the parking of vehicles and the cycle shed shall be permanently retained for the storage of cycles.
Reason: In the interests of highway safety and of securing sustainable alternative travel options (cycling) for residents, having due regard to policies CS20 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 The parking areas required by condition 3 above, shall be constructed in accordance with approved plan P010 and using the materials and on-site drainage in accordance with the approved plan P012
Reason: In the interests of the amenities of the locality, to ensure that hardstanding is permeable or drained within the site and having due regard to policy CS16 (1, 4 & 6) of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 The dwelling hereby approved shall not be occupied until means of enclosure as shown on drawings P03, P04, P06, P010 and P012 have been erected. The fencing in the front garden area shall not exceed the height of 0.9m as shown on the approved plan P012, reducing to 0.6m in height in the foremost area of the front garden shown by cross-hatching on the approved plan P010. At all times thereafter the means of enclosure shall be retained in a wholly sound and effective condition.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and to avoid obstruction to visibility for users of the car parking spaces, having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 The dwelling hereby approved shall not be occupied until a detailed soft landscaping scheme for all open parts of the site frontage not proposed to be hard surfaced, has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify 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 policy CS16 9 (1) of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 7 The development hereby permitted shall be carried out in accordance with the following approved plans:
Drawing - P001 - Location and Block Plans
Drawing - P002 – Elevations and Roof Plan
Drawing - P003 – Proposed North Elevation
Drawing - P004 – Proposed Detailed Elevation East & West
Drawing - P005 – Proposed Detailed Elevation South
Drawing - P007 – Proposed Street Scene
Drawing - P008 – Proposed Roof & Floor Plans (includes cycle shed)
Drawing - P009 – Proposed Cross-Section
Drawing - P010 – Proposed Parking Plan
Drawing - P011 - Vehicle Crossing Detail HCC9/M/035/B
Drawing - P012 – Proposed Site Plan (includes parking area: surfacing and drainage, & indicative planting)
Reason: - To ensure provision of a satisfactory development.