
Site Address:	32 High Lawn Way, Havant, PO9 5BP		
Proposal:	Construction of two storey end of terrace dwelling		
Application No:	APP/17/01339	Expiry Date:	14/02/2018
Applicant:	Mr J Robinson		
Agent:		Case Officer:	Bee Crawford
Ward:	Battins		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site comprises the side garden and land which forms part of a two storey end of terrace property which has a brown tiled pitched roof and elevations of red multibrick. The site is level and situated on the corner of High Lawn Way and Foxcott Grove. There is open vehicular access to the front and an area of grass and shingle with a 1.2 metre high wall to part of the front boundary. The side garden is grassed with heras fencing to the front and 1.8 metre high fencing to the side and rear boundaries.
- 1.2 The adjoining two storey terraced property is to the west, the front aspect of two storey terraced properties in Foxcott Grove are to the east, a pair of two storey semi-detached properties are opposite and a two storey block of flats are to the rear beyond an electricity sub station. The area is of medium density with two storey semi-detached, terraced properties and purpose built flats of a similar age, style and design.

2 Planning History

APP/10/00760 - Construction of 1No. semi-detached two bed dwelling with detached single storey garage and new vehicular access from Foxcott Grove, refused 20/12/2010.

3 Proposal

- 3.1 The proposal is for the construction of a two bedroom, two storey end of terrace dwelling. It is noted the plans show a single storey rear extension at 32 High Lawn Way, although this meets the criteria for permitted development and does not form part of this application.

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

CS16 (High Quality Design)
CS19 (Effective Provision of Infrastructure)

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)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

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

5 Statutory and Non Statutory Consultations

Developer Services, Southern Water

The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

No development or new tree planting should be located within 3 metres either side of the external edge of the public sewer and all existing infrastructure should be protected during the course of construction works.

No new soakaways should be located within 5 metres of a public sewer.

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.

Southern Water requires a formal application for a connection to the public foul and surface water 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”.

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.

It is the responsibility of the developer to make suitable provision for the disposal of

surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

The proposed development would lie within a Source Protection Zone as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the water supply source.

NB: Informative recommended.

It should be noted that if the site falls within a Source Protection Zone, the Council consults the Environment Agency for commercial development only.

Highways Engineer, Development Engineer

I have no adverse comment to the application.

Building Control

The ground floor cloakroom may not comply with Approved Document M requirements. A full check under the Building Regulations will take place once an application is submitted.

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: 11

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) Impact on the character and appearance of the area
- (iii) Impact upon residential amenity

- (iv) Highways and parking
- (v) Developer contributions

(i) Principle of development

- 7.2 The application site is situated within an urban area where further development is considered acceptable provided that the development is in accordance with the Development Plan and all other material planning considerations.

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

- 7.3 The immediate locality is residential in character comprising similar style dwellings contained within short terrace rows. The proposal would be a continuation of the existing terrace in terms of height, although it is approximately 1.1 metres narrower than no. 32. Notwithstanding this, it is considered the proposal complies with the advice laid out in Local Plan Policy CS16 (High Quality Design). The proposed dwelling would have a rear garden depth comparable with other dwellings in the locality (other than the section reserved for parking) and acceptable for that of a two bedroom dwelling. Overall the dwelling would sit comfortably within the character of the immediate area and would not set a precedent that would lead to further development, out of keeping with the established pattern of development within the streetscene.

(iii) Impact upon residential amenity

- 7.4 The proposed new dwelling is attached to the eastern side of the host property and there would be a distance of 3 metres to the boundary with the highway which is considered to be acceptable. Whilst there is a first floor window in the side elevation of the dwelling, the plans show it would serve a landing and the front elevations of properties in Foxcott Grove are in excess of 20 metres away. It is therefore deemed the new property is far enough away for any impact to be negligible.
- 7.5 The side elevation of the properties to the south are in excess of 23 metres away and set back from the rear elevation of the proposed dwelling (with an electricity sub station in between). There are no windows in the side elevations of these properties and it is judged they would not be adversely affected by the proposal.
- 7.6 It is judged that the new dwelling would have minimal impact on the attached property at no. 32 as it would follow the same building line and the front elevations of the properties opposite are roughly 25 metres away. It is noted that no objections have been received.

(iv) Highways and parking

- 7.7 There are two bedrooms proposed in the property, subsequently there will be a requirement for two on site parking spaces as recommended in the HBC Parking SPD (July 2016). The proposed block plan submitted reflects this.
- 7.8 The block plan shows a new vehicular access to both the existing and proposed property and a condition should be incorporated stating a dropped kerb vehicular access is required and an informative note attached stating that works on the highway require the approval of the Highway Authority (HCC).

(v) Developer contributions

- 7.9 The 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 20 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 Havant.
- 7.10 The proposal would result in new residential development which is Community Infrastructure Levy (CIL) liable and the appropriate forms have been submitted. The gross new internal floor space for the dwelling has been calculated by the applicant as 67.56 sqm which generates a total CIL liability of approximately £5,405. It is noted that self build exemption has been claimed in relation to the development.
- 7.11 The proposal is also liable for a contribution towards the SDMP (Solent Disturbance Mitigation Project) of £181 plus an administration and monitoring fee which has been paid. The proposal therefore accords with Policies CS11, CS21 (Developer Contributions) and DM24.

8 Conclusion

- 8.1 It is considered that the proposal is unlikely to appear overbearing or lead to overlooking and would have minimal impact on the properties immediately adjacent to, opposite or to the rear of the application site, meeting the requirements of policy CS16 of the HBLP (Core Strategy). The application is therefore considered to be acceptable and is recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/01339 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 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local

Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 No development shall take place until finished floor levels for the proposed building relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the amenities of the area having due regard to policy CS16 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework 2012.
- 4 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 No development hereby permitted shall be commenced until detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, 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 policies CS11.1, CS11.2, CS11.4, CS12, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policies CS11.1, CS11.4, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 The new dwelling shall not be occupied until space for the parking of vehicles and other vehicular access arrangements (including the provision of dropped kerbs) for both the existing property (No. 32 High Lawn Way) and the new dwelling have been provided within the site and surfaced with permeable materials in accordance with the details shown on approved Block Plan 102 Rev A. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 The new dwelling shall not be occupied until facilities for the parking of cycles for both the existing property (No. 32 High Lawn Way) and the new dwelling have been provided within the site in accordance with the details shown on approved Block Plan 102 Rev A. Such facilities shall thereafter be retained and used solely for those purposes.

Reason: In the interests of securing appropriate options for alternative modes of travel and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extensions or outbuildings shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: In the interests of the amenities of the immediate locality and having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 which forms part of the Local Development Framework.

- 10 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drg no. 101	Location plan
Drg no. 102 Rev A	Existing and proposed block plan
Drg no. 103	Existing and proposed front and rear elevations plan
Drg no. 104	Existing and proposed side elevations plan
Drg no. 105	Existing and proposed ground and first floor plans
Drg no. 106	Section through plan`

Reason: - To ensure provision of a satisfactory development.