
Site Address:	Land to the rear of 78-80 Silvester Road, Waterloooville, PO8 8TS		
Proposal:	Erection of 2No. 3bed detached bungalows with a detached garage for each property.		
Application No:	APP/17/00530	Expiry Date:	14/07/2017
Applicant:	Mr Fields Alpine Homes		
Agent:	Mr Murray I J Murray Associates	Case Officer:	Lewis Oliver
Ward:	Hart Plain		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site lies to the north of Silvester Road, and includes land to the rear of 78 and 80 Silvester Road on an area of garden land, with the site being flat. The site is surrounded by residential development on all sides, which varies in size, scale, massing and design.

The area has a mixed residential character of mainly street frontage development but with examples of backland type development and re-development sites, most notably to the south west on Lawrence Avenue.

The site has a number of trees on the boundaries, in addition to the west in the garden of 82 Silvester Road lies a mature tree, which adds to the amenity of the area

2 Planning History

04/69311/000 - Detached double garage to south of dwellinghouse., REF,05/05/2004

04/69311/001 - Two storey rear extension., REF,05/05/2004

04/69311/002 - Single storey rear extension with pitched roof incorporating loft conversion., PERM,14/07/2004

04/69311/003 - Replacement detached single garage., PERM,15/12/2004

3 Proposal

The application is for the erection of 2No. 3bed detached bungalows with a detached garage per property. The proposed access to the dwellings would be provided between the existing dwellings. The application has been amended following the objection raised from Southern Water that the original layout would be located on a public sewer and would therefore not be in an acceptable position. As such the layout has been amended, with both the properties now set approximately 2.5m from the eastern boundary of the site.

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)
CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS8	(Community Safety)
CS9	(Housing)
DM10	(Pollution)

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

- 1) There is a 1350mm diameter public sewer at a depth of between 9.4m-12.4m within 3m of the proposed dwellings, as shown on GIS. This is a critical sewer and consultation should be carried out with Southern Water.
- 2) The plans show that fire service vehicles will not be able to reach within 45m of all points within the proposed dwellings. It should be ensured that adequate access will be provided as detailed in Approved Document B or that adequate compensatory features are provided.
- 3) Adequate provision for solid waste storage should be provided. The bin store should be within 30m of the collection point and within 25m of the dwellings

Crime Prevention -Minor Apps

No response

Highways Engineer, Development Engineer

Response to original plans:

I require more information.

Turning overlays to ensure that vehicles can park turn on site and enter the highway in a forward gear.

The length of the proposed dropped kerb vehicle access

A plan showing the widths of the various drives.

Response to amended plans:

No Objection

I would suggest that to make it perfectly clear to future owners that the turning area is for the joint use of both properties and this area should be hatched on the submitted layout plan (excluding the parking area in front of each garage) and a condition imposed that that this area should only be used for the turning of vehicles.

Public Spaces

No comment

Southern Water

Response to original plans:

Objection:

From our initial assessment of the existing apparatus it appears that there is limited opportunity to divert existing drainage apparatus, and therefore Southern Water objects to the proposed development. If planning permission were to be granted, Southern Water (as the statutory sewerage undertaker) would request that the Council (as the Building Control Authority) refuse Building Regulations approval on the grounds that building over a critical public sewer cannot be permitted.

Response to the amended plans:

No Objection subject to conditions

Please find attached a plan of the sewer records showing the approximate position of a public critical foul sewer within the site. 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 5 metres either side of the centreline 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.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example "The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development."

Reference should be made to Southern Water publication "A Guide to Tree Planting near water Mains and Sewers" with regards to any Landscaping proposals.

Waste Services Manager

The only concern I have regarding this planning application is hopefully provision will be made to present wheeled bins at the entrance to these new properties to prevent any difficulties in collecting their waste.

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: 12

Number of site notices: 1.

Statutory advertisement: Not applicable.

Number of representations received: 3

Comment	Officer Comment
Concerns raised regarding the impact of the development on the character and appearance of the area	Addressed in 7.1 (ii)
Concern about the impact of the development on amenities of neighbouring properties with regard to overbearing impact and loss of sunlight/daylight	Addressed in section 7.1 (iii)

The amended plans were re-advised to allow contributors an opportunity to comment on the revised plans, 1 letter of objection was received from 78 Silvester Road with the following comments:

- Adverse impact on the character and appearance of the area. **Officer Comment see 7.1 (ii)**
- Adverse impact on amenities of our property. **Officer Comment see 7.1 (iii)**
- Loss of private view. **Officer comment - this is not a material planning consideration**

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) Residential amenities of proposed dwelling
- (v) Highway matters
- (vi) Flood risk
- (vii) Developer contributions / CIL
- (viii) Drainage

(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.

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

The site lies to the north side of Silvester Road and would be accessed via a new access and driveway between the existing dwellings on the site. The site is very enclosed and the proposal is for two bungalows. The design of the building are of a standard single storey bungalow design and would therefore not be out of keeping with the existing two storey and chalet style dwellings in the immediate area. Furthermore the development would be obscured from wider public view by existing bungalows and houses.

In terms of the pattern of development in the vicinity of the site, the proposal would result in backland development. It is noted in this regard that the sites on to the south west, most notably development on Lawrence Avenue, which was more comprehensive redevelopment with five chalet style dwellings provided. It is therefore considered that the pattern of development locally does include the provision of new dwellings without their own street frontages. The proposal does not therefore conflict with the established pattern of development in the vicinity of the site. As such the proposed development in this respect is not considered to have a significant adverse impact on the character and appearance of the area to justify a reason for refusal in this respect.

Trees

The proposed development would be located adjacent to a large oak tree, which is located to the west in the garden of no.82. This tree and others within this area are not subject to a TPO. However this tree does add to the amenity of the area, and as such it should be retained. The application proposes limited details of how this would be protected, both during and after construction, for both the trees within the site and the mature tree in the garden of 82 Silvester Road. It is therefore considered that in this situation that appropriate conditions can secure the retention of the neighbouring tree and any other landscape features in the site. A further condition is also added to ensure that a construction method statement is submitted so that appropriate measures such as 'no-dig' construction are provided during the course of the application. It is therefore considered that subject to these conditions that the proposal is acceptable in accordance with policies CS11 and CS16 of the core strategy.

(iii) Impact upon residential amenity

The proposed site is surrounded by other residential properties and the most significant impacts are considered to be to 82 Silvester Road, 32 and 34 Rimington Road and 27 Orchard Grove.

No.78 and 80 are the existing dwellings on the site. This properties would need to be altered in order to accommodate the new access by altering the main front door arrangement on no.78. A plan has been provided to show how this would be achieved. The existing dwellings would retain an acceptable external amenity space with a rear garden of approximately 18m depth and front car parking. There would be an impact from the use of the proposed access in terms of vehicular movements/disturbance, however, on balance and given the limited use of the proposed access associated with dwellings to the rear it is not considered that a refusal of planning permission based on this additional impact could be sustained.

In terms of the relationship of Plot A in relation to 82 Silvester Road, it would be set 17 metres from the boundary with the neighbouring property itself being 42m to the south east. It is considered that given the layout, size and scale, the proposal would not have a significant adverse impact on the amenities of this property.

To the south east of the site lies 76 Silvester Road, they have raised concerns regarding the amended plans and the impact on this property, plot A would be located approx 2.5 metres from the end of the rear garden of no.76. This neighbouring property is located approximately 31.5m from plot A and benefits from substantial rear garden. The proposed dwellings would be single storey and given the overall size, scale, layout and massing of the development it is not considered that the development would have a significant adverse impact on amenities of this property with regard to loss of sunlight/daylight, overlooking or overbearing impact. Furthermore a condition removing permitted development rights is included, this would ensure that the LPA retain control over development on this site. Whilst there would be an increase in activity resulting from the proposal, this is not considered sufficient to warrant a refusal of planning permission.

To the east is 27 Orchard Grove, plots A and B would be located approximately 2.5 metres from the boundary at this point, with the neighbouring property itself between 18 and 24 metres from the application site boundary. The proposed dwellings would be single storey and given the overall size, scale, layout and massing of the development it is not considered that the development would have a significant adverse impact on amenities of this property with regard to loss of sunlight/daylight, overlooking or overbearing impact. In order to ensure that no roof alterations and subsequent windows are installed on the property, a condition removing permitted development rights is included, this would ensure that the LPA retain control over development on this site. It is also noted that the occupier of this dwelling has not objected to the amended plans submitted with this application

32 and 34 Rimington Road back onto the application site. These properties are set approximately 32m off the common boundary and benefits from substantial rear garden. The proposed dwellings would be single storey and given the overall size, scale, layout and massing of the development it is not considered that the development would have a significant adverse impact on amenities on these properties with regard to loss of sunlight/daylight, overlooking or overbearing impact. Furthermore a condition removing permitted development rights is included, this would ensure that the LPA retain control over development on this site. Whilst there would be an increase in activity resulting from the proposal, this is not considered sufficient to warrant a refusal of planning permission.

(iv) Residential amenities of proposed dwelling

The layout shows how the site would be laid out and includes two parking spaces per dwelling. The rear gardens are between 10.9m and 12m depth as such the development provides the required 10m garden depth in the Design SPD.

The revised layout places the majority of bedroom windows approximately 2.5 metres from the boundary, as such it would not provide an ideal form of development, as this would likely result in the outlook of the future occupiers being impacted on, in addition the layout would reduce levels of natural daylight into these rooms. Whilst these matters are a result on the contrived manner of the development, in order to facilitate the development not adversely impacting on the public sewer, plus a 5 metre easement either side. It is considered on balance, that the development does provide sufficient amenity space to the living room, with views and light being received from the garden area. As such whilst concerns remain regarding the outlook/daylight on the bedrooms, when the application is considered in its entirety, that this concern does not result in such a significant issue to justify the refusal of this planning application on this issue alone. Overall it is considered that the impact on the development is acceptable

in terms of the amenities of future residents.

(v) Highway matters

The development would result in a new access onto Silvester Road. The revised layout includes on site parking and turning for the new dwellings and parking for the existing dwellings could be retained to the front properties. Cycle parking can be provided for the new dwelling. It is considered that subject to appropriate conditions that the development would not have a significant adverse impact on the safety and free flow of the highway network.

(vi) Flood risk

In relation to flood risk, the site is located in Flood Zone 1 (the lowest category) and there are therefore no in principle objections to residential development in terms of flood risk.

(vii) Developer contributions / CIL

A contribution towards to the SPA is required under Policy DM24 of the Allocations Plan. The relevant contribution has been paid and paperwork return. The application is CIL liable for £xxxxx and the relevant forms provided and a draft liability notice sent.

(viii) Drainage

Southern Water raised an objection to the original layout in this application, as one of the units was proposed to be directly over the public sewer, which cuts across the site. As has been identified above, the layout has now been amended to take this into account. Southern Water have been consulted on the amended plans and have raised no objection, subject to a condition to ensure that the public sewer is protected, a condition to secure this requirement is recommended.

8 Conclusion

In conclusion the development is considered to be acceptable in principle. The design, scale and massing of the proposal is considered to have an acceptable impact on the character and appearance of the area. The dwellings can be provided such that it would have an acceptable impact on the amenities of neighbouring residents and to provide appropriate residential amenities for the future occupants. Mitigation has been provided in relation to potential impacts on the SPA. The proposals would subject to conditions and details have an acceptable impact on highways and the site is not subject to unacceptable flood risk. CIL contributions are required and a financial contribution to mitigate impacts on the SPA has been received. It is therefore considered that planning permission can be recommended in this case.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00530

(A)

(B) for the following reasons/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 The development hereby permitted shall be carried out in accordance with the following approved plans:

PROPOSED SITE & LOCATION - A101 V7.3
PROPOSED FLOOR PLANS - A102 V7.3
AMENDED PROPOSED ELEVATIONS HOUSE A - A103 V7.3
PROPOSED ELEVATIONS HOUSE TYPE B - A104 V7.3
PROPOSED GARAGE ELEVATIONS - A105 V7.3
PROPOSED VIEWS - A106 V7.3
PROPOSED SITE SECTIONS - A107 V7.3

Reason: - To ensure provision of a satisfactory development.

- 3 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 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 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.

- 4 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 and the hardsurfacing of the driveways 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.

- 5 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No above ground development shall take place until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.
Reason: To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 7 The parking and turning area shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating and turning of private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.
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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, C, D and E, of Schedule 2, Part 1 of the Order shall be carried out without the prior written consent of the Local Planning Authority.
Reason: Any works to the scheme need to be carefully controlled given the limited plot sizes and proximity to the immediate neighbouring properties, and to protect the public sewer which crosses the site in accordance with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.
- 9 Unless otherwise agreed in writing by the Local Planning Authority no development shall commence until a detailed scheme, and programme for its implementation for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following: -
- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development (with reference to the oak tree to the west of the site in the garden of 82 Silvester Road), including boundary trees.
 - b) Positions and spreads of existing hedgerows and groups of mature shrubs.
 - c) All proposed tree, hedge, shrub removal and retention.
 - d) Minimum 'Root Protection Areas' of all existing retained trees within the site and on neighbouring land adjacent to the approved development, calculated in accordance with BS 5837 recommendations.
 - e) Plans of a minimum scale of 1:200 (unless agreed otherwise by the Local Authority) showing the proposed locations of 2.3m high protective barrier/s, supported by a metal scaffold framework, constructed in accordance with Section 6 (Figure 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular

intervals.

f) Proposed ground protection measures in accordance with Section 9.3 (Figure 3) of BS 5837:2005.

g) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.

h) Illustration/s of the proposed fencing structure/s to be erected.

The development shall be carried out in accordance with the approved scheme and programme.

Reason: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area in accordance with policy CS16 of the Havant Core Strategy 2011.

- 10 Unless otherwise agreed in writing by the Local Planning Authority no development hereby permitted shall be begun until a detailed site specific construction method statement for all hard surfaced areas, both within the site and at 82 Silvester Road, of any description within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -

a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.

b) Materials including porous surface finish.

c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.

d) Program and method of implementation.

The Construction Method Statement shall be observed, performed and complied with.

Reason: In order to alleviate any adverse impact on the root systems and the long term health of retained trees, in the interests of the visual amenity of the area in accordance with policies CS11 and CS16 of the Havant Borough Core Strategy 2011.

- 11 Notwithstanding the details shown on the approved plans, no development hereby permitted shall be commenced until a 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.