
Site Address:	2 Northlands Park, Emsworth, PO10 7EY		
Proposal:	Conversion of 1No. 3 bed detached dwelling to 1No. 3 bed and 1No. 4 bed semi-detached dwellings.		
Application No:	APP/16/01081	Expiry Date:	02/01/2017
Applicant:	Mr R Poikans		
Agent:	Mrs M Millers	Case Officer:	Tina Pickup
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site comprises a new detached dwelling that is substantially complete but not yet occupied - permitted under APP/15/00918. It is located on a slightly sloping site area of previous open grassed land located to the east of the private shared drive serving No 4, 6, 6a, & 8 New Brighton Road. This private cul-de-sac has been re-named Northlands Park and this site is Number 2. The land slopes slightly down to the south to the A27 - this tree embankment of the road forms the boundary of the site. Along this southern boundary is a Woodland Tree Preservation Order which is a wooded area of predominantly field maples and hawthorn trees. There is also a line of young lime trees within the laurel hedge forming the eastern edge of the access road. The open grassed land to the west of the access road is not part of this current application site but has recently been granted planning permission for 3 dwellings under APP/15/00638, 2 of which are also nearly completed.

No 4 and 8 are substantial detached dwellings - No 8 being in use as Bed & Breakfast accommodation (by virtue of APP/12/01194 - 4 of the 6 bedrooms are in B&B use) , No 6 was originally a detached dwelling but has been subdivided to two semi's (APP/13/00209) - all are red brick with elements of flint work and black weatherboarding; beneath red clay tile roofs with black windows.

2 Planning History

There is a long planning history to the site which includes the following:

APP/15/01036 - Discharge of conditions 11,12,13 & 14 of APP/15/00638

APP/15/00918 - Erection of 1 detached 3 bed house with access from private drive.
Permitted 2/10/15

APP/15/00901 - Fell 1No Maple (T11) subject to TPO 1838

APP/15/00638

Construction of 1No detached 3 bed house and 2No semi-detached 3 bed houses with integral garages with access from private drive Permitted 13/08/2015

APP/13/00209

Conversion of existing 6 bed detached house to 2No. 3 bed semi-detached houses, one retaining existing detached garage Permitted 18/04/2013

APP/12/01194

Change of use and conversion of dwelling to allow 4 bed Bed and Breakfast guest accommodation to operate, with remaining rooms to remain in residential use.

Permitted 22/02/2013 Conditioned to be 4 bedrooms only, and operated by resident householder only also S106 not to let, sell or dispose of garage/severe from curtilage without agreement from LPA

APP/12/01588

Variation of Condition 12 of Planning Permission No. 04/62243/003 for use of garage as ancillary living accommodation to used as gym/sauna. Withdrawn

07/62243/009

Formal landscaping scheme pursuant to condition 3 of planning permission 04/62243/003. Permitted 27/04/2010.

07/62243/008

Construction of 1No. detached 4 bed house and detached garage. (Revised application.) Permitted 07/06/2007.

07/62243/007

Construction of 1No. detached 4 bed house. (Revised application.) Permission 07/06/2007.

05/62243/006

Erection of a detached 4 bed dwelling and a detached double garage utilising the existing access to New Brighton Road. Refused 24/05/2005. Dismissed at appeal 02/11/2005.

05/62243/005

Erection of a detached 3 bed dwelling with associated car parking utilising the existing access to New Brighton Road. Refused 24/05/2005. Dismissed at appeal 02/11/2005.

04/62243/004

Erection of a 3 bed dwelling with an attached double garage utilising the existing access to New Brighton Road. Withdrawn 24/01/2005.

04/62243/003

Erection of 3No. dwellings, 2 with a detached double garage utilising the existing access to New Brighton Road. To include felling of an Ash tree, part of Group A1 subject of TPO 1210. Permitted 02/02/2005.

97/62243/001

Outline application for the construction of 3 detached single storey dwellings with access from existing private drive onto New Brighton Road (Revised application). Permitted 04/09/1997.

97/62243/000

Outline application for the construction of 3 detached single storey dwellings with access from existing private drive onto New Brighton Road. Refused 11/03/1997.

3 Proposal

It is proposed to internally subdivide the recently constructed detached dwelling into a

pair of semi-detached dwellings comprising 1No. 3 bed and 1No. 4 bed dwellings.

Externally this involves the insertion of 2 rooflights in each of the west and east roofslope, and one in the north roofslope; the addition of a canopy porch over the door in the north elevation; and slightly enlarged windows in the north elevation. The already approved parking area and cycle store to the south would serve the 4 bed house and 2 additional spaces are proposed against the north elevation for the 2 bed house. An additional cycle shed is proposed for the 3 bed dwelling. The garden would be split along an east -west line.

4 Policy Considerations

National Planning Policy Framework

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)
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)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

and Parking SPD, 2016

5 Statutory and Non Statutory Consultations

Building Control - alterations intended are internal; discussions already taken place with builder regarding changes necessary; no other comments

Arboriculturalist - see below

Development Engineer - no adverse comment

Environment Agency - no objection in principle

Crime Prevention - none received

Engineering/Drainage - none received

Waste Services Manager - no concerns

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: 10

Number of site notices: At least one site notice exists - 1

Statutory advertisement: Not applicable.

Number of representations received: 0

Summary:

Comment:

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 and character of area
- (ii) Impact upon residential amenity
- (iii) Impact on trees
- (iv) Parking
- (v) Contributions

- (i) Principle of development and character of area

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The private drive/cul-de-sac now named Northlands Park comprises both detached and semi-detached properties. Therefore the principle of the proposed sub-division of this detached dwelling would be consistent with the character of the immediate area and is considered compliant with policy CS16 clause 1. c).

- (ii) Impact upon residential amenity

In terms of adequate amenity for future occupiers the proposed subdivision does result in two plot sizes of reasonable site area - the issue is the fact that much of the site is covered by a Woodland TPO and the amount of useable amenity space clear of canopies is limited. The proposal includes a patio area for plot 2 outside the kitchen/living area and this would face east receiving east to south sun. This is likely to be a pleasant useable sitting out area and together with the extensive wooded area would provide future occupiers with varied amenity area. The southern plot has greater area clear of the woodland trees and also benefits from the southerly aspect, so useable amenity area for this dwelling would also be satisfactory. On balance the amount of useable amenity space is considered adequate and compliant with Policy CS16. To protect this for the future it is considered important to restrict further extensions by removing permitted development rights. The effect of the pressure to prune is considered below.

The site is distanced from other occupied dwellings (the new ones opposite nearing completion and not yet occupied) and the proposed subdivision is considered to have no adverse impact on the amenity of neighbouring residents.

- (iii) Impact on trees

The original footprint and siting for this detached dwelling took into account the

constraints of the trees, orientation, levels, A27 etc. The useable amenity space was always tight and limited and the footprint was kept as far away from the trees as possible to limit the overshadowing effect of the trees on the useable amenity/patio areas and the consequential future pressure to prune. The Woodland Protected Trees also contribute to the sound and pollution buffer of the site and there is concern that the proposed sub-division would increase the pressure to prune or fell some of the trees closest to the dwellings. These trees are still only early mature and have considerable growth potential. As protected trees no works to these trees can be undertaken at all without first making the appropriate Tree Works application.

Having discussed the matter at length with the LPA's Arborist it is noted that the Woodland Trees are unaffected and no additional clearance works or pruning is proposed. It would be a life choice by future occupiers to live so close to the trees with just a patio area as clear of the woodland. Provided future occupiers are made aware that they cannot undertake any tree works, then on balance the LPA Arborist raises no objection to the proposal which is considered compliant with Policy CS16 clauses 1. a) and b) as well as Policy DM8

(iv) Parking

The proposed sub division has specifically provided one 3 bed unit (requiring 2 spaces) and one 4 bed unit (requiring 3 spaces) to comply with the newly adopted Parking Standards SPD which now requires minimum parking spaces. There is inadequate space around the northern plot to achieve a third space without reducing the patio area - so this plot was kept at 3 bedrooms. Notwithstanding this, the private cul-de-sac as a whole generally has adequate spaces with an area at the turning head for visitor parking and there is considered no harm to highway safety as a result of the proposal.

(v) Contributions

The creation of an additional dwelling would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Therefore an additional financial contribution towards the Solent Disturbance Mitigation Project, in accordance with Policy DM24 of the Allocations Plan, is required. This is set at £176 per dwelling to the Solent Disturbance Mitigation Project. For the proposed dwelling, plus admin and monitoring fee, the appropriate payment of £204.80 has been paid and the relevant form has been completed by the applicant.

With respect to CIL, the original dwelling was CIL liable and the relevant Notices issued and staged payments made as required as construction has progressed (final payment not yet due). However the current proposal does result in additional floor area through the use of the roofspace. Accordingly the Additional Information Requirement form has been submitted indicating the additional floor area to be 40 sqm. The levy is charged at £100 per square metre on new floorspace (measured as gross internal area), plus indexation in Emsworth. Therefore the CIL liability for the proposed development amounts to £4,803.57 and the Draft Liability Notice issued.

8 Conclusion

The proposed subdivision of this site to form a pair of semi detached dwellings is considered appropriate to the character of the area and on balance the development can provide adequate private amenity without affecting the Woodland TPO. Accordingly the application is recommended for permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/01081

(A) 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 the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A, D, E, F of the 2015 Order, other than the hereby approved cycle shed, shall be erected within the curtilages of the dwellinghouses hereby permitted without the prior written approval of the Local Planning Authority.
Reason: To enable the Local Planning Authority to maintain control of such additions in the interests of the protection of the trees on site and the character and appearance of the development and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 together with the National Planning Policy Framework.
- 3 The additional driveway serving the hereby approved additional dwelling shown as Plot 5 shall be constructed of porous and non compressive, self supporting materials and shall be retained in that condition.
Reason: To protect adjacent trees and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy), policy DM25 of the Havant Borough Publication Local Plan (Allocations) and the National Planning Policy Framework 2012.
- 4 The development shall not be brought into use until the car parking and the secure cycle storage shown on the layout plans have been provided within the curtilages of the dwellings hereby approved and thereafter all of those spaces kept available for such 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.
- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:

1:1250 location plan
Site Layout Plan Drawing No 102/07
Site Layout Plan Drawing No 102/08
Surface & Foul Drainage Plan Drawing No 102/09
West Elevation Proposed/Existing Drawing No 102/20
South Elevation Proposed/Existing Drawing No 102/21
North Elevation Proposed/Existing Drawing No 102/22

East Elevation Proposed/Existing Drawing No 102/27
GF Plan Proposed/Existing Drawing No 102/23
FF Plan Proposed/Existing Drawing No 102/24
SF Plan Proposed/Existing Drawing No 102/25
Roof Plan Proposed/Existing Drawing No 102/26

Reason: - To ensure provision of a satisfactory development.