

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS16	(High Quality Design)

Listed Building Grade: Not applicable.

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

- 5.1 No consultees required for this application, but the below comments sent in relation to application APP/16/01156 are relevant:

Arboriculturalist

No tree removal is required to facilitate this project. The proposed development is on the footprint of an existing structure.

The submitted AIA report has demonstrated that any impact to the Willow can be minimised; as such providing that the methodology prescribed in the Arboricultural Method Statement and Tree Protection Plan report is strictly adhered to the Willow will survive development unscathed and will continue to grow on safely and healthily in the future. Therefore I have no objections to this scheme in arboricultural terms.

Chichester Harbour Conservancy, The Harbour Office

No objection, subject to implementation with the specified external materials and that no separate dwelling be formed in the outbuilding, but that the new accommodation remains at all times ancillary to the main dwelling.

Following a site visit made 15.11.16 and having regard to the Policy framework* below, the design of proposed replacement outbuilding, which would not be highly visible from many public vantage points in sub-character area B of the Emsworth Conservation Area, would be acceptable. It was noted that open surface car parking exists at the front of the property, in common with many others down the street.

A prominent Willow tree exists in close proximity, which does have some amenity value in the wider landscape, seen from Waters Edge Gardens and further afield in certain directions. The applicant appears to have factored retention of the tree into the foundation design of the new building. That approach is supported by the Conservancy.

As such, it would have no adverse impact on the AONB or the purposes of its designation and the character and appearance of the Emsworth Conservation Area would be preserved.

Conservation Officer, Development Control

No Objection - Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

Given the size, design and position of the proposed garage it is not considered that there will be any significant impact on character of the conservation area. The materials used in its construction also appear to be appropriate in this context.

It is therefore considered that the development will preserve the character of the Conservation Area.

No Conditions.

Southern Water

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.

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.

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 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

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: 4

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) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties

(i) Principle of development

- 7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the area

- 7.3 The proposal is single storey and is located to the rear of the property and will not be visible from Bath Road or the public domain of the Conservation Area. The design and appearance of the proposal is deemed appropriate in context to the surrounding buildings, 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) Effect on neighbouring properties

- 7.4 The proposal is to replace the current garage with a similar size structure. The height will increase to be in line with the outbuildings/garage of the adjacent properties. There will be an access door to the eastern elevation and to the western elevation, sliding doors opening onto the rear garden of the application site. No windows or doors are proposed to the northern or southern elevations. A gap of a minimum of 15m will be retained between the new structure and the neighbouring properties.
- 7.5 Consequently, it is considered that the proposal is unlikely to appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00109 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 external materials used shall match, in type, colour and texture, those as described in the application form and plans submitted in relation to this application.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:
Design and Access Statement - received 07.11.16
Site location plan - received 07.11.16
Block plan - received 07.11.16
Site plans - 0225-150 (rev b) - received 07.11.16
Proposed drawings - 0225-250 (rev b) - received 07.11.16
Existing drawings - 0225-200 (rev a) - received 07.11.16
Arboricultural impact Assessment and Arboricultural Method Statement prepared by Christopher Hoare Tree Services Ltd.
Reason: - To ensure provision of a satisfactory development.
- 4 No development shall take place until all [trees and hedgerows] that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.
Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.