
Site Address:	15 Hallett Road, Havant, PO9 2PJ		
Proposal:	Erection of 1no. two bedroomed bungalow to rear.		
Application No:	APP/16/01091	Expiry Date:	16/12/2016
Applicant:	Mr & Mrs Frith		
Agent:	Mr Jupp	Case Officer:	Tina Pickup
	Stephen Jupp MRTPI		
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site consists of a semi detached property located on the south side of Hallett Road, Havant. It relates to the eastern most dwelling in the original Hallett Road, which has now been extended and linked to Glenleigh Park by the relatively recent housing development at Manor Farm. As such there is now a cul-de-sac of new town houses that back onto the eastern boundary of the site. These have standard 10m rear gardens and a new 1.8m high brick wall forms this eastern boundary.

No 15 Hallett Road has a two storey side extension and small single storey rear extension with gravelled frontage providing parking for at least 2 vehicles. There is a holly tree in this frontage area. The site benefits from a wider than average plot, and it is understood that the 3m wide landscape buffer that was shown as part of the Manor Farm development has instead been acquired by the applicant. The rear garden is mainly laid to lawn with a shed and large willow tree. The site is relatively flat. To the rear, south, the boundary comprises an old brick wall approximately 1.5m high and there is a significant oak tree just beyond the south western corner site boundary but having its canopy overhanging the application site. The properties to the south that back onto the site are bungalows having garden depths of about 17m.

2 Planning History

91/56693/000 - Two storey extension to side and single storey extension to rear, PERM,06/11/1991

3 Proposal

The proposal is for the erection of 1no. two bedroomed bungalow to rear. During the course of determining the application amended plans have been submitted, most notably removing the vehicular turntable and re-siting the proposed parking to the frontage of the site and relying on a pedestrian path to the bungalow. This has enabled the bungalow to be re-sited further north, leaving an 11m rear garden for the existing dwelling, No 15, and a 7m deep rear garden for the proposed bungalow. The proposed bungalow would have a maximum width of 12m and depth of 9m with fully hipped roof having a height to eaves of 2.5m and to ridge 4.2m.

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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
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)

Borough Design Guide SPD 2011
and Parking SPD 2016

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

5 **Statutory and Non Statutory Consultations**

Building Control (on original plans) - Fire Authority access does not appear to comply with Approved Document B5 (20m rule turning facility)
Location of bin store appears to be greater than 25m from street which is required under Approved Document H5

Bedrooms are inner rooms and window opening should comply with Approved Document B1

Arboriculturalist - (on original plans) - 2 options: 1) Trial pits to demonstrate root growth is asymmetrical and not in this area 2) AMS to address development into RPA - foundations type and design

(on revised plans) - the single storey dwelling has now been moved outside the RPA of the adjacent oak tree. This tree is not subject to a TPO and has been managed by crown reduction in the past limiting its size. No objection with Tree Protection Plan conditioned.

Development Engineer - (on original plans) turn-tables are not an acceptable form of turning provision as neither the Highway Authority or Planning Authority are able to control the maintenance or use of the turn-table.

Updated planning comments.

The Highway Authority only requires turning on site for applications that take access from a classified road. Hallett Road is not classified and many existing properties reverse into the highway and this would be acceptable for this application.

The turntable is only needed for the convenience of future occupiers who would prefer to turn within this tight site rather than reverse along the long drive

From case law supplied by the agent it would appear difficult to refuse the turntable and I withdraw my suggestion for refusal based on its maintenance difficulty.

(on revised plans) - No adverse comment subject to the a condition for the provision and retention of the two parking spaces shown on the plan along with the cycle facilities

Waste Services Manager - As long as the waste bins are presented on the boundary

close to the highway for the 2 new properties, I then have no other concerns regarding this planning application.

Public Spaces - none received

Environment Agency - none received

Crime Prevention - none received

Traffic Management - No adverse comment

It is also noted that bats are found within 50m of the site.

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: 9

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

Statutory advertisement: Not applicable.

Number of representations received: **5** in total: **3 on original plans** and **2 on revised plans**

Summary: (on original plans) - from Glenleigh Park - no gates so security issues; turntable unnecessary and takes up space; who responsible for buffer zone?; proximity - appears bungalow as close as 4.5m from rear boundary which would mean footings within roots of oak tree; garden depth should be 10m; boundary wall only 5', needs increasing to 2m but may affect tree roots; tress not assessed from our side; asymmetrical root system needs substantiating; will be pressure to prune; impact on wildlife and biodiversity; noise, dust and dirt from construction; noise from south facing sitting room ie tv and use of garden close to boundary; should restrict further permitted developments; soak-aways not suitable as water levels generally high; plans should show dimensions from Hallett Close properties - new dwellings back onto site and are at an elevated ground level and boundary wall not high enough to prevent noise; rely on soakaway that needs assessing; wish safeguards relating to 1/ soakaway 2/ noise/vibration from construction works; 3/ airborne pollutants; 4/ no burning of waste; 5/ use of driveway will have no noise and vibration impact; 6/ construction works only in normal working hours;

(on revised plans 3F) - raising of wall with trellis not sufficient as would not add privacy or reduce noise; should be of substantial construction; 7m garden less than HBC guidelines of 10m; no guarantee no interference with roots of tree; development would be overshadowed by trees and owners do not want to prune; who liable if tree causes damage; site higher than Glenleigh Park impact view; no security gates to rear

Comment: With respect to the points made about potential disturbance during construction works and bonfires etc, this is covered under separate Environmental Health legislation and appropriate Informative's can be added; Soakaways is also an issue for Building Regulations at construction stage.

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) Design and impact on character of area
- (iii) Impact upon the streetscene
- (iv) Impact upon residential amenity
- (v) Highways and parking
- (vi) Trees
- (vii) 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. Accordingly the principle of an additional dwelling on the site is appropriate if the detailed layout and design meets current standards and is considered appropriate to the character of area.

(ii) Design and Impact on character of area

Hallett Road is characterised by a mix of detached and semi-detached two storey dwellings set back from the highway, and the road has recently been extended with higher density new development to the east. The application site is therefore on the cusp of where the density increases. There are also examples of backland development within Glenleigh Park to the south, which are historic developments. It is also noteworthy that the garden depth of the dwellings on the south side of Hallett Road gradually increase in length such that the application site has the longest garden at some 28m. Combined with the added width acquired from the landscape buffer to the new dwellings, giving a total width of some 15m, this site is unique and larger than others in the vicinity.

The revised layout retains an 11m rear garden length for the existing dwelling, which complies with the Borough Design Guide SPD and is compatible with the new dwellings in Hallett Close to the east. The proposed dwelling however would have a 7m rear garden. Whilst this is shorter than the recommended minimum of 10m, regard must be had to the width of the garden, which at some 15m, would overall result in a useable amenity area commensurate to others in the vicinity and appropriate for a small 2 bed bungalow. The back to back separation from the dwellings in Glenleigh Park would be approximately 27m which exceeds the minimum requirement of 20m. Being a modest low profile single storey bungalow only then it is considered that the siting and layout is appropriate.

Therefore, whilst still resulting in a tight urban site, the proposed subdivision of the plot to form a backland bungalow is not considered to be harmful to the character of the surrounding area. The proposed bungalow would be related to both the higher density Hallett Close dwellings to the east and the existing backland dwellings in Glenleigh Park. Its low height and subordinate nature would not make it overly intrusive to the character of the area. Therefore it is considered to respect its local context in accordance with policy CS16 of the Havant Borough Core Strategy 2011.

(iii) Impact upon the streetscene

As a backland dwelling the proposed bungalow itself will only be glimpsed from the street scene and would appear as a lower, subservient building. The existing frontage parking area would be extended to provide for 4 vehicles in total (2 for each dwelling) and the plans have broken up the potential extent of hard surfacing by including a dividing fence at 1m high with central planting strip within the front garden of No 15. This would successfully delineate the two properties and visually soften the appearance of the scheme. The existing dropped kerb would need widening and an Informative to contact Hampshire Highways can be added.

(iv) Impact upon residential amenity

Letters of objection have been received from neighbours to the rear of the site and the plans further amended to change the rear boundary treatment from trellis to solid close boarded fencing giving an overall height of 2m. This will have to be supported via the existing wall to avoid root damage to the adjacent tree, but will provide the screen requested by neighbours. Whilst concern has been expressed about noise from future occupiers, in this established residential area the increase of one household would be very marginal.

The 2 storey properties in Hallett Close to the east will have views down into the site, and hence it is considered that to protect privacy and provide appropriate levels of amenity for future occupiers and screening, then the landscape buffer on this eastern boundary needs planting up with higher trees. The submitted plans state 'landscape buffer retained' but on site there is only some low level planting along this boundary - this needs to be conditioned to provide appropriate higher screening. Otherwise the amenity for future occupiers is considered appropriate - the internal layout provides primary living accommodation to the rear, out of lines of sight from the dwellings in Hallett Road, and there is sufficient screening on the southern boundary.

In terms of comings and goings, by having frontage parking with only pedestrian access to the dwelling past the side elevation of No 15, then the noise from vehicular comings and goings is omitted and it is only pedestrian activity that could disturb the occupiers of No 15 and the residents of Hallett Close. As a modest 2 bedroom bungalow the activity associated with the dwelling is considered unlikely to be harmful to neighbouring amenity in this high density residential area.

Objectors have requested that permitted development rights be withdrawn for further extensions. This is considered appropriate - as a tight site then further extensions or Class E outbuildings could result in an overdevelopment of the plot.

With appropriate conditions it is considered that the proposed bungalow would not harm the amenity of neighbours and the proposal would comply with policy CS16 of the Havant Borough Core Strategy 2011.

(v) Highways and Parking

The amended plans provide 2 spaces at the frontage with no on site turning. Since Hallett Road is not classified and other dwellings reverse out, then this is considered appropriate. A cycle store is proposed to the front of the new bungalow, together with a bin storage area. A bin collection point is shown at the kerbside. The parking and cycling provision meets current standards set out in the parking SPD and the refuse collection appropriate.

(vi) Trees

The amended plans resite the dwelling beyond the identified Root Protection Zone of the adjacent oak tree. HBC's Arborist has noted that the tree has been heavily pruned in the past to limit its size and the proposed bungalow is also clear of the limited crown spread. Since this is not a TPO'd tree providing only residential amenity (rather than public amenity) then the proposal is considered to adequately respect the tree. Provided it is protected during construction, then there is no arboricultural objection to the revised layout.

There has been concern expressed that this oak tree and other trees/shrubs on the southern boundary will cause overshadowing to the private garden leading to pressure to prune. There is a balance between the screening and privacy benefits provided by these trees and any overshadowing and pressure to prune. In this case the trees would be outside the future occupiers control and the garden would still receive east and west sunlight.

It must also be noted that the proposal results in the loss of 2 other trees - the holly to the front and willow in the rear - but these would be mitigated against through the provision of appropriate tree planting along the eastern boundary.

(vii) Contributions

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 20th 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 £100 per square metre on new floorspace (measured as gross internal area), plus indexation in Emsworth.

It is considered that there is a CIL liability for this site. The amended bungalow plans have marginally increased the internal floorspace for CIL purposes. Therefore the submitted CIL forms have been superseded and the new internal floor area agreed with the agent at 71.94 sqm giving a CIL liability of £6,911.38.

This development would also increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. Policy DM24 of the Allocations Plan, covers this issue and allows for a financial contribution to be made towards mitigation measures. 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.

8 Conclusion

The proposed backland bungalow, whilst a tight development, does not actually cause any harm to material considerations. The separation distances are adequate and the character of the area respected. With appropriate conditions, particularly with screening and removal of permitted development rights, then the proposal, on

balance, is considered to accord with the relevant Local Plan and Allocation Plan policies and the guidance set out in the Borough Design Guide SPD, Parking SPD and the NPPF. The application is therefore recommended for permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/01091

(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 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(s) 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 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A, B, and E of The Town and Country Planning (General permitted Development) Order 2015, as amended, shall be erected within the curtilage of the site 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 amenity of neighbouring residents, to ensure an adequate amount of amenity space 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.
- 4 No development shall take place until the oak tree to be retained on the adjacent site has 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.

- 5 No development shall commence on the site until details of appropriate tree planting for the eastern boundary shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include species and planting sizes and densities. Such approved planting shall be completed prior to the first occupation of the hereby approved dwelling unless otherwise agreed in writing by the Local Planning Authority.
All such planting shall be maintained to encourage its establishment for a minimum of five years following contractual practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period shall be replaced before the end of the next planting season.
Reason: To ensure higher screening and appropriate standards of amenity for future occupiers having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
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.
- 7 No part of the development shall be first occupied until the boundary treatments as shown on the hereby approved Site Plan Drawing No 3G have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the 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.
- 8 The development hereby permitted shall be carried out in accordance with the following approved plans:
Drawing 1 - Location Plan 1:1250
Drawing 2 - Block Plan 1:500
Tree Report by CES Ltd dated September 2016
Bike Storage Dimensions
Proposed Floor Plan Drawing No 4D
Proposed Elevations Drawing No 5D
Proposed Site Plan Drawing No 3G
Reason: - To ensure provision of a satisfactory development.