

DELEGATED OFFICER REPORT

Site Address:	13 Spinney Close, Waterloooville, PO8 8QU		
Proposal:	Construction of new detached garage.		
Application Type:	Full Planning Permission		
Application No:	APP/24/00253	Expiry Date:	03/06/2024
Applicant:	Mr Amott		
Agent:	Mr Bennett	Case Officer:	Jennie Fox
	Kalotec Limited		
Ward:	Hart Plain		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 13 Spinney Close, Waterloooville, PO8 8QU is a two-storey end of terrace house to the south of Spinney Close. The property is finished in brick with white uPVC cladding to the first floor frontage, white uPVC fenestration, and concrete roof tiles. The application site is immediately to the east of Wecock Common, which is a SINC, and Havant Footpath 7 runs between the two. The surrounding area is otherwise residential.
- 1.2 The application site and neighbouring properties are aligned north to south and Spinney Close is set at an angle so that No.13 has the largest front garden in the terrace at approximately 18m in length and 12m in width. Spinney Close ends in a parking court with garages to the east and the application site is accessed via the parking court rather than Spinney Close itself. The garages are brick built, flat roofed, and are immediately adjacent to the north-east corner of the site.

2 Planning History

02/67496/000 - Rear conservatory. (Retrospective), PERM,06/09/2002

3 Proposal

Construction of new detached garage.

During the course of the application amended plans have been received showing the proposed garage stepped in from the site boundary.

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)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Carly Scannell - Hart Plain

None received.

Councillor E Shimbart - Hart Plain

None received.

Councillor James Blades

None received.

Countryside Access Team

Original comments received 26/04/24:

Objection

Havant Footpath 7 (FP7) runs south from Havant Bridleway 1a (BW1a) through a residential area then adjacent to Wecock Common, continuing south through the proposed development site, terminating at Oaklands Grove. o The site is not located in a material proximity to any HCC Countryside Site. A copy of the Definitive Map of Rights of Way and Countryside Sites and Definitive Statement can be found at <https://maps.hants.gov.uk/rightsofwaydefinitivemap/> and <https://www.hants.gov.uk/landplanningandenvironment/rightsofway/definitivemap>

From the "Plans Existing and Proposed" drawing submitted, it appears that the new garage is proposed to be built on the legally recorded line of FP7. As the Highways Authority, with a statutory duty to ensure access to the PROW network is available for the public's safe use at all times, the Service cannot support any proposal that would result in or maintain an obstruction of a right of way, as this one proposes to do. Therefore, we must object to this application. It is noted, however, that the recorded alignment of FP7 between Wecock Common and Oaklands Grove has, in practice, been inaccessible for some time and appears to be obstructed at multiple points by different properties/landowners. The Service's Access Team are liaising separately with the planning authority as to the most appropriate solution to this issue.

Comments received 11/10/24 following submission of amended plans:

The Existing & Proposed Plans document demonstrates a revised position of the proposed garage, siting it to the west of the definitive line of FP7, rather than on it as was previously proposed. The Service now, therefore, raises no objection to this planning application.

The applicant is, however, advised that the line of the PROW is obstructed elsewhere within their property boundary, as per the red line boundary shown in the Location Plan in the Existing & Proposed Plans. They can resolve this via application to HCC for a Public Path Order to formally divert the right of way and are

encouraged to contact HCC to discuss further: Public Path Orders | Hampshire County Council (hants.gov.uk).

HCC Arboricultural Consultancy, HCC Highways Depot

Thank you for the opportunity to comment on this application.

The position of the garage is close to large, retained trees.

The supporting arboricultural information is helpful.

The proposal is acceptable on condition that no new excavations within the RPA as shown on the arboricultural report reference AIAMS170.1 are allowed. This includes for services or drainage: any new provision must be outside the RPA.

The construction activity must be restricted to the existing hard standing.

Please condition the enforcement of AIAMS170.1 in full through the construction.

Many thanks,

HCC Arboriculture.

Open Space Society

None received.

Council's Ecologist

The application is not accompanied by any ecological information and therefore I have carried out my own, non-exhaustive desk-based assessment using the application documents, online sources and GIS mapping. The application site comprises an existing surfaced driveway and the proposals entail the construction of a new garage. The site is adjacent to Wecock Common Site of Importance for Nature Conservation, a locally designated woodland. I am content that potential risk of impacts to the SINC woodland are minimal, and the submitted Arboricultural Impact Assessment and Method Statement provides reassurance that impacts to off-site trees are negligible. On that basis, there is no justification or further information.

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: 7

Number of site notices: At least one site notice exists.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
I support this application as I can't expect anyone would be able to see it from the road or the woods. It's positive development in my opinion.	No further 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
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Biodiversity Net Gain (BNG)

(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 comprises a new detached garage in the north-east corner of the application site, which would replace an existing car port. During the course of the application the proposed siting of the garage has been amended in response to comments received from the HCC Countryside Access Team. As such, the proposed garage would be slightly stepped away from the site boundary and would project forward of the existing building line of the garages to the north of the application site. Whilst this would result in a change in the established building line, as the proposal is modest sized building to be used as a garage and would be sighted at the end of a cul-de-sac and seen with the context of the curtilage of the host dwelling it would not appear unduly prominent within the streetscene. The proposed garage would sit against the north boundary and be accessed from the existing driveway, continuing the existing line of garages to the north and replacing an existing car port. The proposed garage would have a maximum height of approximately 2.8m, a width of approximately 5.6m, a length of approximately 6m, and would be finished in horizontal larch cladding with a metal sheeting roof and fenestration in keeping with the host dwelling. Although the proposed materials are not found elsewhere on the application site, they are considered appropriate to the type of development and would be sympathetic to the nearby Wecock Common. The materials are therefore deemed appropriate.

7.4 The design and appearance of the proposal is deemed appropriate in context to the main building 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

7.5 To the west of the application site is No.14 Spinney Close, a continuation of the terrace. The front garden and driveway of No.14 is separated from that of the application site by an approximately 1.2m high brick wall with infill fencing between the piers. There would be a driveway separating the proposed garage from No.14 by a distance of approximately 4.9m. As such the proposal is deemed to have minimal impact on No.14.

- 7.6 Wecock Common lies immediately to the east of the application site. Following consultation, the proposed garage has been offset from the east boundary by 1m. There are no other immediate neighbours likely to be affected by the proposals.
- 7.7 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy 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.

(iv) Biodiversity Net Gain (BNG)

- 7.8 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain.

8 Conclusion

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area, and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00253

(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:

PLANS EXISTING AND PROPOSED KALO-0308-01 REV B
Arboricultural Impact Assessment and Method Statement AIAMS 170.1

Reason: - To ensure provision of a satisfactory development.
- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.
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.

- 4 (a) Unless otherwise agreed in writing with the Local Planning Authority, the development hereby permitted shall be carried out in full accordance with the approved Arboricultural Impact Assessment and Method Statement (AIAMS170.1) and British Standard BS5837:2012 guidance for the safeguarding of trees located within or nearby the application site and not scheduled for removal during the course of the site works and building operations; and
- (b) Such methods of safeguarding and protection as set out by part (a) of this condition shall be maintained for as long as construction is taking place at the site, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage throughout the construction period and in the interests of amenity in accordance with Policy CS11 of the Havant Borough Core Strategy.