
Site Address: Land adjacent 2A Longwood Avenue, Waterloooville, PO8 8HX

Proposal: Application for variation of condition 2 of Planning Permission APP/21/01317 relating to dormer.

Application Type: Variation/Relief of Condition

Application No: APP/22/00936 Expiry Date: 22/12/2022

Applicant: Mr Steere

Agent: Mr Flint Case Officer: Tina Pickup

Chris Flint Ass Ltd

Ward: Cowplain

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site relates to a new chalet bungalow currently under construction on land adjacent 2A Longwood Avenue, Waterloooville, following permission granted under reference APP/21/01317 . At the time of the site visit (16/11/22) the property was completed externally in breeze block, awaiting fitting of windows and doors, render, and internal fitting out etc. The approved plans provided a roof light in each of the side roof slopes, with the western one serving a bathroom.
- 1.2 However, during construction, to give more headroom in the bathroom, a small side dormer has been built instead. This section 73 application seeks a variation of the approved plans to regularise this dormer.
- 1.3 The adjacent property to the west, number 2A, is a detached bungalow having a side drive and garage set back adjacent the shared boundary which is hedged. The dwelling to the east, number 145 London Road, is a chalet bungalow that fronts the London Road with its rear access and parking adjacent the application site.
- 1.4 This eastern end of Longwood Avenue is characterised by low profile bungalows and buildings, but development rises to 2 stories at numbers 2 and 1a slightly to the west of the site.

2 Planning History

APP/21/01317 - Proposed 3 bedroom chalet bungalow with associated parking in garden land adjacent to No 2A, with new vehicular access onto Longwood Avenue.(15.06.22). Request to discharge condition 5 (19.09.22)., PERM,15/06/2022

3 Proposal

Application for variation of condition 2 of Planning Permission APP/21/01317 relating to dormer.

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)
CS17 (Concentration and Distribution of Development within the Urban Areas)
CS21 (Developer Requirements)
CS9 (Housing)
DM13 (Car and Cycle Parking on Residential Development)

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)

Emsworth Neighbourhood Plan Post Examination Version 2020

n/a

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Arboriculturalist

There are statutorily protected trees located on neighbouring land, but no significant trees onsite or on adjacent land that will be affected by the proposals.

Building Control

None received

Engineering/Drainage

No observations to make

Environment Agency

None received

Hampshire Highways

Due to the scale of the proposal and that there is no change to the vehicular access, HCC's standing advice should be referred to in the first instance

Nutrient Team, Planning Policy

I can confirm there is sufficient capacity in the Council's strategic mitigation scheme to accommodate the application proposals.

The applicant is however advised that there is limited capacity remaining in the Council's mitigation scheme at Warblington Farm. There is alternative mitigation available from third party providers in order to avoid and mitigate the water quality impact arising out of the proposed development. The details of other schemes have been published on the Partnership for South Hampshire's website at: <https://www.push.gov.uk/work/mitigation-schemes-available-to-developers/>

Portsmouth Water Company

None received

Traffic Management

The traffic team have no adverse comment to make

Waste Services Manager

None received

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: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None received	

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 of dormer on neighboring amenity and street scene

(i) Principle of development

7.2 This is a Section 73 application and if approved, its granting effectively re-issues the original permission and must repeat the relevant conditions unless they have been discharged. In this case condition 2 is being sought to be varied (approved plans). The pre-commencement condition 5 re materials has been approved, but the pre-occupation condition re water efficiency is outstanding. All other conditions require ongoing compliance.

- 7.3 This application must consider the impact of the proposed changes only and does not need to re-consider the whole development which already has planning permission under APP/21/00556. Since the quantum of development ie one 3 bedroom dwelling, is not changing, and development is substantially complete, then it is not necessary to re-do the Habitats Regulations Assessment which has previously adequately mitigated against any potential harm to the Solent European Sites from recreational disturbance and water quality.

(ii) Impact of dormer on neighbouring amenity and street scene .

- 7.4 The proposed dormer is narrow and set centrally on the roof slope. As such it will not be overly dominant on either the roof slope or streetscene. It is clad in grey tiles to match the new roof. Visually it is considered acceptable.
- 7.5 The actual window opening size constructed in the dormer was larger than originally applied for and as such amended plans have been submitted reflecting the as built size. The plans show the window to be obscure glass with minimum opening height of 1.7m. Since the window position would have a direct line of sight towards number 2A and its entrance and side windows then it is important that the window is non-opening where below 1.7m and obscure glazed to protect privacy - this can be conditioned.
- 7.6 Overall it is considered that the addition of a small side dormer into the west roof slope would not harm either neighbouring amenity or the visual appearance of the development in the street scene and would be compliant with Policy CS16 of Havant Borough Core Strategy 2011 and the Borough Design Guide SPD.

8 Conclusion

- 8.1 This is a Section 73 application and its granting effectively re-issues the original permission and must repeat or amend accordingly the relevant conditions unless they have already been discharged. It is recommended to grant permission to vary condition 2 of APP/21/01317 to allow the side dormer with obscure glass.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00936 subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Site Plan Drawing Number 21090-401 Rev B from APP/21/01317
Proposed Floor Plan and Elevations - Drawing Number 01 on Council's website dated 18 November 2022

Reason: To ensure provision of a satisfactory development.

2 The development hereby permitted shall not be occupied until:

- (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
- (b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

3 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

4 Notwithstanding the hereby approved plans or provisions of any Town and Country Planning (General Permitted Development) Order 201, the window in the hereby approved dormer in the west roof slope, and the roof light in the east roof slope, shall both be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass, which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent), and retained as such thereafter.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The car and cycle 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.