Site Address: 27A Queens Road, Waterlooville, PO7 7SB
Proposal: Erection of a two car garage with dormer window and storage room over to the area to the garden area to the front of the house at 27A Queens Road; construction of access driveway to the garages coming off the existing spine roadway serving the house.

Application No:	APP/21/01110	Expiry Date:	23/12/2021
Applicant:	Mr Norris		
Agent:		Case Officer:	Selina Donophy
Ward:	Waterloo		

Recommendation: **REFUSE PERMISSION**

1 Site Description

This application site comprises a two storey detached dwellinghouse located on the south west side of Queens Road, Waterlooville accessible via a private road leading off Queens Road. This property has a hipped roof with brickwork and timber cladding to the elevations. At ground floor level is a double garage and the boundary remains open to the private road where the road culminates with the neighbouring property located to the west. The land subject to this proposal is a plot of land opposite no 27A where there is currently a small glade of trees.

2 Planning History

APP/10/00865 - Application for Non-Material Changes to Planning Permission 07/55343/003 relating to external chimney (Plot 2) and changes to chimney, balcony and garage doors (Plot 3)., PERM,02/12/2010
APP/13/00205 - Tree works, UNK,
APP/13/00301 - Fell 1No. Maple (T5) and removal of lowest lateral branch to South West sector of 1No. Oak (T4); both trees subject to TPO 1629., PERM,09/05/2013
APP/14/01053 - Request for written confirmation that conditions 18 and 19 of Planning Permission 07/55343/003 have been discharged., UNK,
APP/21/00173 - Cut back 5No. branches of 1No. Yew (T2) on southern sector by 3m leaving a spread of 14m. Subject to TPO 1629., PERM,28/04/2021

3 Proposal

Erection of a two car garage with storage room over to the area to the garden area to the front of the house at 27A Queens Road; construction of access driveway to the garages coming off the existing spine roadway serving the house.

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

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)

Submission Version Havant Local Plan

E1*	(High quality design)

Emsworth Neighbourhood Plan Post Examination Version 2020

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

5 Statutory and Non Statutory Consultations

Arboriculturalist
Objection is raised to this proposal. Since visiting I have discovered that the area of land where the Yew trees are located is within an area designated as ancient and semi natural woodland therefore there should be no development within the Root Protection Area of these trees and there should also be an adequate buffer from the edge of the canopies. The applicant's consultant has also commented that the mature Oak tree subject to TPO is a veteran, and as such there should also be no development within this important Oak tree's RPA.

Case Officer comment : Additional comments following submission of additional information by the applicant -

I have now had a chance to read over the additional information and re-visit the site. While I note that there has already been construction of a swimming pool and associated paving within the area proposed for the garage I don't believe this provides sufficient mitigation to build within the RPA of a veteran Oak tree, which was highlighted by Martin Dobson Associates within their report and which the Council agrees with this classification. There is also the issue with building within the RPA of TPO'd Yew trees which are shown to be within an area of ancient and semi natural woodland on the Natural England Inventory.

The NPPF clearly states that *"development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons"*

Even without these additional constraints I feel the garage will be in such close proximity the Oak and the Yews that I feel it may cause undue damage and pressure to prune these trees in the future even with pile and beam foundations used. The height of the proposed garage will also require pruning of the Yew trees. The site is not level so there will no doubt be level changes required within the RPA of the trees.
I note that the applicant has suggested bringing the garage forward of the Yews but this is still going to be wholly within the RPA of the Oak tree.

For the reasons stated I cannot support this application and continue to object to the proposal.

Councillor Gwen Robinson
No comment

Councillor Mike Sceal
No comment

Councillor Peter Wade
No comment

Portsmouth Water Company
Thank you for consulting Portsmouth Water on this application- we have no adverse comments to make on this application from a groundwater quality perspective due to its small nature and minimal excavation works.

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: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
No comments 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) Appropriateness of design and impact on the character of the area
(iii) Effect on neighbouring properties
(iv) Trees

(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.

7.3 This proposal seeks to construct a garage with parking at the lower level and a room with storage at first floor level. The applicant has confirmed the use of the garage would be for storage and vehicle parking.

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

7.4 This proposal comprises a garage sited opposite the main property. The garage would have a pitched roof with a pitched roof dormer to the front elevation . The first floor would be accessed via an external stairwell located to the side (east) supported on posts and would be open plan served by the dormer window . The ground floor would allow for two parking spaces and would be supported on posts to the front (south elevation) and left open . To the rear would be a set of doors and a door also to the east side at ground floor level. Proposed materials comprise of brickwork and cladding both to match the main dwelling. The application form states all other finishes to match the existing dwelling.

7.5 The garage would be located in a quiet cul-de-sac where nos 27, 27a and 27b are located to the south and west of the private road and the outbuilding would be sited to the north of that on an area of land currently laid to lawn . This section of land is owned by the applicant and certificate B has been served on the surrounding properties who may have an interest in the land. The garage would have a total height set at two storey level with a depth of approximately 9.8 metres, a ridge height of 6.3 metres and a width of approximately 7 metres. This would result in a fairly large garage in terms of scale although it is noted the surrounding properties also have a reasonably large footprint and therefore within this context the scale is not considered to be particularly out of keeping. The applicant has confirmed the use would be for personal use and not as a separate dwelling as the site would not be appropriate in use as such. The design of the garage is judged to be in keeping with the properties in the cul de sac and is not deemed to result in harm to the character of the area.

7.6 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

7.7 The garage would be located opposite the host dwelling, no 27a and no 27b adjacent . The front dormer facing south would offer views back towards the host dwelling and indirectly back towards no 27b . There would be a separation distance of approximately 20 metres between the garage and no 27b which meets the minimum separation distance as specified in the Havant Borough Design Guide.

7.8 To the west of the garage is no 27 where the building line projects forward with a garage at ground floor level and what appears to be storage room window at first floor level as shown on the planning history. There would be approximately 6 metres separation distance between this window and the garage and whilst the garage forms a full gable on this side, the set off is considered to be acceptable so as not to harmfully impact light to this room which already experiences some overshadowing from the trees to the east.

7.9 Consequently, it is considered that the proposal will not 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.

(iv) Trees

7.10 The site is located within very close proximity to a group of protected trees. Notably this includes ancient and semi-natural woodland located to the north (rear) of the proposed garage site, 3 TPO common yew trees , a veteran TPO oak tree and a TPO field maple. The applicant has supplied tree protection plans including a Tree Protection Plan, Tree Constraints Plan and Arboricultural Impact Assessment. The garage would come within very close proximity of the yew trees (approximately within 3 metres) and oak tree (approximately 2 metres) , situated within the RPA of all three trees. The Council's Arboricultural Officer has been consulted on this proposal and the submitted arboricultural plans. The Arboricultural Officer has visited the site and has raised concerns in relation to the very close proximity to the protected trees and objects to any development within the RPA of the veteran oak tree. It is noted that there previously had been a swimming pool close to the site , with remnants of paving and debris in the ground. This has been taken into consideration and is not deemed to mitigate the potential damage of further development to the veteran oak tree and ancient woodland including the yew trees. The necessary levelling of the ground and pruning of the trees alongside the potential damage caused by the close proximity is considered to result in harm to these protected trees and therefore this is justified as a reason for refusal.

7.11 The moving of the outbuilding forward has also been suggested by the applicant however this is not considered to be satisfactory mitigation as this would still be sited within the RPA of the veteran oak tree.

8 Conclusion

8.1 The siting and close proximity of the proposed development would result in potential damage to TPO and veteran trees and ancient woodland important in the local landscape . The siting of the development within the root protection area of these trees would be putting at undue risk the long term conservation of the trees. It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/21/01110 for the following reasons

1 The siting and close proximity of the proposed development would result in potential damage to TPO and veteran trees and ancient woodland important in the local landscape . The siting of the development within the root protection area of these trees would be putting at undue risk the long term conservation of the trees. It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.