

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)

Havant Borough Design Guide
Adopted parking standards

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

5 Statutory and Non Statutory Consultations

Arboriculturalist

The design gives a far greater sustainable relationship between trees and development and as such I now have no objections to the layout.

Pile and beam foundations would be acceptable in the ingress into the RPA of the beech, however has it been demonstrated that this is achievable in this location – no changes in soil levels etc.?

No objections following the submission of the revisited AIA.

Building Control

Plot 1

- 1) Possible unprotected area issue on side elevation (lounge + ensuite windows) due to location of boundary
- 2) No solid waste storage shown

Plot 2

- 1) Possible Unprotected area issue with regards amount of glazing / opening facing side boundaries
- 2) No solid waste bin storage shown

Officer Note:- *There is adequate space to accommodate bins to the front. The plans have been amended in respect to side openings.*

Hampshire Highways

Comments to be provided by BC engineer

Development Engineer

The Highway Authority has no objection to this application provide a planning condition is imposed requiring the construction of the new existing dropped kerb vehicular access and that the parking, turning and servicing area for each plot are set out as shown on the submitted layout plan. I would suggest that to conform to the HBC car parking standards three car parking plus cycle facilities per unit should be provided and retained on site.

Waste Services Manager

No concerns

Landscape Team

No adverse landscape comments regarding this application.

I note HBC Arboricultural Officer has already had involvement regarding the trees and will no doubt advise as appropriate regarding the submitted application.

I suggest conditions requiring submission of further information regarding soft landscape, hard landscape and boundary treatments.

Regarding the soft landscape - it would be appropriate to incorporate some management and replanting proposals for the existing perimeter hedge to promote screening and longevity.

Crime Prevention -Minor Apps No comments received

Public Spaces Development Manager No comments received

Traffic Management, HBC no adverse comments

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: 24

Number of site notices: two

Statutory advertisement: Not applicable.

Number of representations received: 5

Summary:

- Overdevelopment garden grabbing.
- 2 storey form of the development is over dominant and out of keeping with the adjoining bungalows and detrimental to the character of the local area.
- 2 additional dwellings on the current distinctive and spacious plot, which occupies a prominent location, would destroy the established distinctive character and be contrary to NPPF as it does not improve the environment. Contrary to the Development Plan.
- Hallett Road cannot cope with additional traffic will add to existing congestion on a narrow road and will be a hazard in proximity to the Manor Farm development and the railway crossing, where cars already have to wait for extended periods causing detrimental fumes .
- Inadequate on site parking will result in congestion from further street parking.
- Increase pressure on already stretched community facilities.
- flat roof design out of keeping
- loss of privacy and outlook
- Adverse impact on protected trees
- see a precedence
- The view from the opposite sides of the street will be overpowered entirely by two, two storey houses looking directly across into peoples homes, and be unbalanced.

Comment:

See section 7

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 upon the streetscene and character of the area.
- (iii) Impact upon residential amenity
- (iv) Highways and Parking provision
- (iv) Contributions and CIL

(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. Policies CS9, and CS17 of the Core Strategy together with Policies AL1 and AL2 support residential development within the built up area and the need to provide small units to meet housing demand, which is also identified in the Annual Monitoring report.

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development however this should not be to the detriment of the local area.

Paragraph 6 makes it clear that regard must be had to the document as a whole in determining what the Government's view of sustainable development means in practice. It promotes the effective use of land through the re-use of previously developed land. With paragraph 49 stating that *"housing applications should be considered in the context of the presumption in favour of sustainable development."*

However, paragraph 56 makes it clear that *"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* Paragraph 58, bullet 4 seeks to ensure that development responds to local character, with bullet 6 requiring good architecture.

Paragraph 59 seeks to ensure the sustainable construction of the dwellings, whilst paragraphs 60 and 61 seek to ensure the development is designed well accounting for local context. Paragraph 64 however, requires development of poor design to be refused.

Policy CS16 of the Havant Borough Core Strategy Local Development Framework 2011 seeks to reflect the requirements of the NPPF at a local level. It and the local plan policies encourages the principle of development within the settlement area, provided that any new development pays proper regard to the character and appearance of the area, design and neighbour amenity.

(ii) Impact upon the streetscene the character of the area.

The surrounding development is of varying form and character with the existing dwelling at No. 52 Southleigh Road being 2/3 storey, the immediately adjoining properties bungalows and 2 storey housing on the opposite side of the road. This part of Southleigh Road is characterised by relatively spacious plots with a high degree of landscaping, whilst Hallett Road is more densely developed. The plans have been amended to reduce the height and bulk of the proposed dwellings and in particular the eaves level has been lowered to that of single storey to better reflect that of the

adjacent bungalows. As now submitted the proposed dwellings provide a step down in height and scale from the 2/3 storey form of the existing dwelling at No. 52 to the bungalow form of the adjacent dwellings. The development has been revised to improve and provide an acceptable relationship with the mature trees on the site, which have been protected by a Preservation Order during the course of the application. The existing hedging to 52 Southleigh Road will be retained and this together with the retention of the mature TPOed trees provides a green setting for the development and the maintenance of the green character of this part of Southleigh Road. Plot sizes for the new dwellings are comparable to those existing in both Southleigh Road and Hallett Road. The design is considered to comply with the Borough Design Guide and advice laid out in Policy CS16 of the Local Plan which advises that new development should respond to local distinctiveness.

(iii) Impact upon residential amenity

The main impact relates to 1a Hallett Road and 50 Southleigh Road. Whilst there will be some impact on the outlook to properties on the opposite side of both Hallett Road and Southleigh Road, given the separation provided by the road and the proposed relationship is comparable to that of nearby properties the impact is not considered so great as warrant refusal.

Regarding 50 Southleigh Road, this bungalow is set back on its plot with a relatively small rear garden, and an enclosed and private front garden. The proposed dwelling would be sited in a similar position to the existing pitched roof garage, but has a larger footprint and greater height and bulk. No 50 has windows in both the front and side elevations. The proposed dwelling on plot 2 mainly sits forward of No 50 and the existing drive to No. 50 provides a degree of separation. Given the single storey eaves height proposed and that the new dwelling would be located to the north it is considered that the proposal would have an acceptable impact and would meet the requirements of Policy CS16 of the HBLP (Core Strategy).

In respect to the impact on 1a Hallett Road, plot 1 has been amended to reduce the eaves height to single storey and the dwelling moved a further 1m from the boundary so that it is now in the region of 2m off the boundary. 1a Hallett Road has a side conservatory with a clear glazed roof and a westerly aspect. The proposed dwelling which has a building line similar to that of 1a would be located adjacent this conservatory from which it would be separated by 3.8m. The proposal will therefore have an impact on the evening sunlight and outlook from the conservatory which currently comprises the existing 3m plus evergreen hedge and sky beyond. The hedge is to be replaced with 2m high fencing and the new outlook would be the side gable of the proposed dwelling. However, given that the conservatory is fully glazed the impact on light is not considered to support refusal, and in respect to outlook the separation together with the single storey eaves height and dormer window design of the proposed dwelling achieves a satisfactory relationship meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

Both properties were visited to assess the impact of the proposed development.

(iv) Highways and Parking provision

The representations have raised concerns regarding the adequacy of the local road to accommodate the development and the congestion associated with recent housing estates/developments and proximity to the railway crossing. The Development Engineer has assessed the proposal and raises no objection, and a refusal on these

grounds could not be substantiated.

In accordance with the adopted parking standards the amended plans provide 3 parking spaces for the existing dwelling and 2 for each of the proposed dwelling. The proposed parking spaces and drive would fall within the root protection area of the TPOed trees and an Arboricultural Report has been submitted by the applicant and the council's Arboriculturalist advises that the proposed measures address his concerns.

(iv) Contributions and CIL

The development is CIL liable and the applicant has submitted the appropriate forms.

The proposal is also subject to a financial contribution in respect of the Solent Recreation Mitigation Partnership pursuant to Policy DM24 of the Allocations Plan, and the appropriate payment and Deed have now been completed and therefore the requirements of the Policy have been met.

8 Conclusion

In conclusion, it is considered that the development would have an acceptable impact on the character and appearance of the area and on neighbours' and future occupants' residential amenities. Whilst it is recognised that the proposals would have a degree of impact upon the adjacent properties, the revised plans and separation distances involved are considered to mitigate this impact to an acceptable level, especially when having regard to the fact that, in economic and social terms, the provision of additional dwellings within the urban area would accord with the objectives of the NPPF and make a contribution to the Council's housing requirements as set out in the development plan. Arboricultural and Highways issues are also appropriately addressed and developer contributions have been secured.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to
GRANT PERMISSION for application APP/16/00101

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:
Site and location plan Dwg 004 Rev G
Plot one off Hallett road Dwg 001 Rev F
Plot two off Southleigh Road Dwg 003 Rev E
survey Plan prepared by Planet survey Company Ltd ref PS5207 dated November 2015
Arboricultural Report prepared by Johnson Tree Consultancy dated 2 July

Root protection Plan 004 RevG
Tree Protection Plan 004 Rev G.

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall take place until all trees and hedging 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 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 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.

- 7 No development shall take place until finished floor levels for the proposed building(s) relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the amenities of the neighbouring properties and 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.
- 8 No development hereby permitted shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced, including management and replanting proposals for the existing hedging fronting Southleigh Road and Hallett Road has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

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 2012.
- 9 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality and 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.
- 10 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,C,D and E of the General Permitted Development Order, as amended, shall be erected within the curtilage of either dwelling without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenity of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 11 The car parking, servicing and other vehicular access arrangements (including the provision of dropped kerbs) 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.

- 12 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of plot 2 hereby permitted the windows/openings in the south elevation directly facing 50 Southleigh Road shall 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.