
Site Address:	43 Elizabeth Road, Waterloooville, PO7 7LZ		
Proposal:	Erection of 1No. 3 bed detached house with integral garage and creation of new access onto Stakes Hill Road (revised application).		
Application No:	APP/16/00308	Expiry Date:	24/05/2016
Applicant:	Mr Gill		
Agent:	ACE Designs	Case Officer:	David Eaves
Ward:	Stakes		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site forms part of the rear garden of No.43 Elizabeth Road. The existing property is accessed via a footpath from Elizabeth Road and there is an informal access to Stakes Hill Road at the rear which has been used by vehicles.

The existing property is a two storey semi-detached house with pitched roof and single storey side mono-pitched element. The land is undulating with a general slope from east to west across the site. Panel fences are provided to the side boundaries with a green vegetated frontage to Stakes Hill Road.

To the north of the site is 136 Stakes Hill Road, a two storey house with a lower rear wall and south-west facing dormer window. To the west of the site is a low unoccupied dwelling of single storey. To the south-west is the attached neighbour No.45 Elizabeth Road which has a rear single storey extension. In the rear garden of No.45 are Holm Oak trees.

2 Planning History

07/72450/000 - Two storey side extension. , PERM,28/08/2007

APP/14/00802 - Erection of 1No. 4 bed detached house with integral garage and creation of new access onto Stakes Hill Road., WD,21/10/2014

APP/15/00790 - Erection of 1No. 3 bed detached house with integral garage and creation of new access onto Stakes Hill Road (revised application)., REF,17/09/2015

3 Proposal

Erection of 1No. 3 bed detached house with integral garage and creation of new access onto Stakes Hill Road (revised application).

The proposal is for a two storey house with side garage of a traditional design with a pitched roof and brick walls. The plot would be divided between the existing and proposed dwellings.

Access would be from Stakes Hill Road and parking would be provided for both the proposed dwelling and the existing dwelling.

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)
CS9	(Housing)
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)

Havant Borough Council Borough Design Guide SPD 2011

Havant Borough Residential Parking and Cycle Provision 2010

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

No comments received

Building Control

No adverse comments

Development Engineer (Highways)

Revised Comments:

Having now seen the photographs and the current proposals the existing dropped kerb does need to be extended.

My formal comments are now;

Comments

The Highway Authority has no adverse comment to this application subject to the following condition.

- the existing dropped kerb to Stakes Hill road should be increased in length.
- each plot has two parking spaces and cycle facilities
- each plot has turning provide and kept to allow vehicles to turn on site and exit in a forward gear.

Waste Services Manager

No concerns over waste collection regarding this planning application.

Crime Prevention -Minor Apps

No comments received.

Portsmouth Water Company

No comments received

Environment Agency

The Environment Agency has no comments to make on the above proposal.

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: 6

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary:

I wish to object very strongly to this project.

Encroach on light

Loss of privacy

Impact on wildlife (foxes, birds and squirrels)

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 character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Impact on wildlife
- (v) Highways matters
- (vi) Trees
- (vii) Developer 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.

(ii) Impact upon the character and appearance of the area

The proposed dwelling would front Stakes Hill Road and this would be in accordance with the pattern of development to the north west. The development would have an acceptable appearance in the street scene and would be set slightly into the slope to reduce the visual impact of the dwelling.

It is considered that the proposal would have an acceptable appearance in the locality.

(iii) Impact upon residential amenity

The current application follows on from a withdrawn application and a refused application. The application has sought to overcome previous concerns, particularly in relation to the impact on neighbours. Application APP/15/00790 was refused planning permission for the following reason:

- 1 The dwelling would by reason of its full two storey design, inadequate separation distances, changes in levels and fenestration result in an unneighbourly form of development to the residents of No.43 Elizabeth Road and to the future occupants of the new dwelling. The proposal would lead to direct overlooking between the properties to both private rear garden areas and between habitable rooms and be harmful to privacy and amenity. Furthermore the proposal leads to inadequate private rear amenity space for No.43 Elizabeth Road. The development therefore conflicts with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide SPD 2011 and the National Planning Policy Framework 2012.

Whilst the dwelling remains two storey, the dwelling is sited so that a direct line of view between the proposed and existing dwelling is avoided. A distance of 19m and the off-set between the units is considered to adequately address the concerns over the relationship between the two units.

There is a bungalow to the rear of 136 Stakes Hill Road which does not appear to have been occupied. This property is also set off and at an angle from the proposed house with a 20m separation distance this is considered to be acceptable.

No 136 itself is set beyond the access drive to the rear property and has at first floor level an obscure glazed window and high-level window facing the application site. Two small new windows are proposed to face No.136 one at ground floor (lounge) and one at first floor (bedroom). The secondary window to the first floor bedroom is to be obscure glazed and a revised plan has been secured to show this. The proposed relationship between units is considered to be acceptable.

An objection has been received from the occupant of 45 Elizabeth Road in particular in relation to overlooking and light. The proposed dwelling would be set off the boundary with No.45 by 3.5m with the lower garage element set closest. The full two storey element of the new dwelling would be positioned 20m from the two storey element of No.45. The position of the building to the north of 45 would prevent any significant impact on light. There are no windows in the flank elevation closest to the boundary with No.45 and any view from the rear windows would be oblique and the impact would not be significant enough to warrant a refusal of planning permission.

With regard to the impact on No 43 (the existing dwelling), the alignment of the two dwellings has now been amended to reduce the direct overlooking between the units. The proposed and existing dwellings also have adequate amenity space. It is considered that the layout is now acceptable.

(iv) Highways matters

The development would increase the use of the existing access to Stakes Hill Road which has a dropped kerb. It is considered by the Highway Engineer that improvements are required to this access to ensure that it is adequate to serve the two dwellings. Subject to conditions recommended by the Development Engineer (Highways) the proposal is considered acceptable.

(v) Impact on wildlife

Concern has been raised in relation to potential impacts on wildlife. The site is open garden and is considered to be of limited value for wildlife with no special designations. The species identified by the objector are fox's and squirrels these are not protected species. Nesting birds are protected by sperate legislation. It is not considered that the proposals are likely to impact protected species.

(vi) Impact on Trees

The proposed turning and parking area is close to some off site trees in the rear garden of No.45. It is considered that the works would be within the Root Protection Area of the trees. The Councils Arboriculturalist has visited the site and has recommended an informative in relation to off site trees.

(vii) Developer Contributions

The development is liable to CIL and a contribution of £12,201.07 is required.

The development would also be subject to a contribution in relation to the Solent Recreation Mitigation Project to mitigate against addition pressure on the Solent SPA. The contribution is £176 + monitoring and admin charge. The contribution has been secured.

8 Conclusion

In conclusion, the development is considered to be acceptable in principal and the would have an acceptable impact on the character and appearance of the area and on residential amenity. Planning permission can therefore be recommended.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00308

(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 Compulsary Purchase Act 2004.

- 2 No development shall take place until details of existing and finished floor and site levels relative to previously 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: To ensure that the dwelling is suitably set into the slope in the interests of the residential amenities of neighbouring residents having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 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.
- 4 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 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.
- 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 Havant Borough Residential Parking and Cycle Provision SPD 2010 and the National

Planning Policy Framework.

- 7 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 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 CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8 Notwithstanding the submitted plans the development hereby permitted shall not commence unless and until revised plans showing improvements to the existing access onto Stakes Hill Road (incorporating a widening of the existing access to accommodate the movement of two households from the site) are submitted to and approved in writing by the Local Planning Authority. The approved access shall thereafter be provided prior to the occupation of the dwelling hereby permitted.

Reason: To ensure that the development is provided with adequate and safe access having due regard to policies CS20 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 9 The dwelling hereby permitted shall not be occupied unless and until two cycle parking spaces are provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be retained for that purpose at all times.

Reason: To provide facilities for means of transport other than the private car in the interests of encouraging sustainable transport options having due regard to policies DM11 and DM13 of Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Residential Parking and Cycle Provision SPD 2010 and the National Planning Policy Framework.
- 10 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building alteration or windows shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: To protect the amenities of adjacent residents having due regard to policy CS16 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.
- 11 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all surface water drains proposed to serve the same, 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.

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

Site and Block Plan Drawing No. 140301/11

Site Plan as Existing Drawing No. 140301/12

Site Plan as Proposed Drawing No. 140301/13 Rev A

Proposed Floor Plans Drawing No. 140301/14

Proposed Elevations Drawing No. 140301/15 Rev A

Site Sections Drawing No. 140301/16

Arboricultural Plan Drawing No. 140301/17

Reason: - To ensure provision of a satisfactory development.