

Recommendation: **GRANT APPROVAL OF RESERVED MATTERS**

Reserved matters application for the demolition of existing bungalow and garage and construction of 2No. 3 bedroom semi-detached dwellings with integral garages, and 1No. 3 bedroom detached bungalow and garage. New access to Silvester Road. All matters to be considered subsequent to approved outline application APP/15/00627.

4 Policy Considerations

National Planning Policy Framework

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)

Supplementary Planning Documents and Guidance

Borough Design Guide SPD (2011)

Housing SPD (2011)

Residential Parking and Cycling Provision SPD (2010)

Developer Contributions Guide (2013)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control - no adverse comments

Development Engineer - No adverse comment on application subject to a planning condition that the parking and turning areas are constructed and maintained as shown on submitted plan.

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: 8

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 2

Summary:

(a) Will cause overlooking, loss of privacy and visually overbearing impact to the occupiers of adjacent dwelling

- (b) Will cause overshadowing to the front of the dwelling to the east of the site
- (c) Increase in activity levels and traffic will impact peaceful enjoyment of adjacent rear garden
- (d) Condition trees to the rear boundary to be retained in order to retain privacy for the dwellings to the rear of the plot.

7 Planning Considerations

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) Site Layout and Scale of the Development
- (iii) Impact on neighbouring amenity
- (iv) Developer contributions and other matters

(i) Principle of development

The site is designated as being within a defined urban area in the Local Plan and, therefore, development is acceptable in principle subject to normal Development Management criteria. Precedents for the redevelopment of large residential plots have already been set in the locality, in terms of both frontage and backland dwellings. Outline planning permission granted in 2015 established the principle of the development of the site and this reserved matters submission accords with the outline description and indicative layout.

(ii) Site Layout and Scale of the Development

The plots for the semi-detached frontage properties would measure approximately 32 metres x 6 metres, with a gap of approximately 1 metre between each dwelling and the closest side boundary. Rear gardens are 10 metres in depth. The scale and siting of these dwellings would be appropriate within the street scene.

The proposed access road to the rear of the site would run along the western boundary. A width of 3.5 metres approx, widening to 5m approx adjacent to the road is achieved. The rear plot contains a detached bungalow with a plot size of 22 metres x 16 metres and a gap of at least 1 metre between each side elevation and its closest boundary. The rear garden is approximately 9 and narrowing to 5 ms in depth but given the width compensating for the lack of depth, it is considered that the garden area would accord with intent of the Borough Design Guide. The proposed layout and scale of development are considered to offer an adequate amount of amenity space for each plot without creating a cramped and congested layout on the overall site.

(iii) Impact on neighbouring amenity

It is considered that the only potential for direct and unacceptable overlooking of adjoining properties from the new dwellings, will be from the first floor bathroom windows and these can be conditioned to be obscurely glazed with top light opening only. The dwelling on the rear plot being a single storey dwelling with no roof accommodation will limit its impact in terms of outlook, shadowing and overbearing effect.

The front door of the adjoining property to the east, along with ground floor w.c. and utility room and first floor bathroom and windows, directly faces the site. Whilst the

new dwellings would be highly apparent when using these areas, the door and windows do not serve primary living areas and would be largely offset to the actual proposed buildings.

There is potential for the proposed access drive to impact on the amenities of the adjoining care home. The impact of the access road was considered and found to be acceptable at outline stage. The Applicant indicates that the retention and provision of a 1.8 metre fence on the boundary would screen views of the site from this direction, including the access.

The proximity of the driveway to the proposed western frontage dwelling was not of concern at outline stage, and similar relationships have been approved at application stage and allowed at appeal. The effect on residents of the care home is unlikely to be any materially different in this respect and, taking all of this into account, it is considered on balance that a reason for refusal based around this issue could not be sustained.

It is considered that there is sufficient distance from the proposed rear dwelling and the dwellings within Glenmore gardens that the retention of the hedge does not meet the requirements to condition it's retention. However, the submitted landscape plan shows it's retention.

(iv) Developer contributions and other matters

This proposal is subject to the Community Infrastructure Levy. The proposal is subject to a financial contribution in respect of the Solent Recreation Mitigation Project, and an appropriate Deed and Payment have been provided. Parking provision is acceptable and meets the regards SPD standards and the Highway Engineer has recommended a relevant condition.

8 Conclusion

The proposed demolition of the existing bungalow and garage, construction of 2No. 3 bedroom semi-detached properties at the front of the site and of 1No. 3 detached bungalow to the rear with new access from Silvester Road is acceptable. The proposal would not have a detrimental impact on the application site, the wider locality or the amenities of occupiers of neighbouring properties. Parking, developer contributions and other matters can be satisfactorily dealt with by way of planning conditions and normal process.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT APPROVAL OF RESERVED MATTERS** for application APP/16/00426 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:
Planning Statement received 25 April 2016
Site Survey, Location Plan, Streetscene and Cycle Store drwg.no 003.rev B received 25 April 2016
Proposed Site Plan, Landscaping details and Construction notes drwg.no 006.rev D received 25 April 2016
Structural Plans plot C and sections A & B drwg.no 004.rev B received 25 April 2016
Plot A & B Plans and Elevations drwg.no 002.rev A received 25 April 2016
Plot C Plans, Elevations & Section drwg.no 001.rev B received 25 April 2016
Reason: - To ensure provision of a satisfactory development.
- 3 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 and the National Planning Policy Framework.
- 4 The landscaping works shown on the approved plans [ref. 006 rev D] shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements agreed or within 18 months of final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.
Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015 and the submitted plans, prior to first occupation of the extension / building hereby permitted the windows in the first floor on the west and eastern elevations 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.
- 6 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building alteration, means of enclosure, windows etc shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.
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.

