

5 **Statutory and Non Statutory Consultations**

Arboriculturalist

No tree removal is required to facilitate this project.

The supporting arboricultural evidence is comprehensive and provided that the methodology prescribed in this MS & TPP report is strictly adhered to the retained trees will survive the development unscathed and to continue to grow on safely and healthily in the future.

Therefore I have no objections to this scheme in arboricultural terms.
Please condition the AMS and TPP.

Development Engineer - Highways

The Highway Authority has no adverse comment to this application.

Hampshire Highways

No comments received (this is a scale of development that should be considered by the Development Engineer (Highways)).

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: 5

Summary:

Welcome improvements to perimeter treatment and re-positioning of vehicular access.

Reassurances must be sought to protect valuable tree screen

Will large timber shed be removed? -**Officer Comment** - shed now removed

Concern over garage, two storey structure built on boundary.

No margin for any possible road improvements.

Scale of building - character of the development.

Inclusion of toilet and what could be seen as a small kitchenette suggests ambition to use as office space.

Concern over business use.

Traffic

Out of keeping with residential use.

Unightly work vehicles

Multi use space ambiguous - should be ancillary to main house.

Concern over burning of materials

Concern over site frontage appearance and removal of vegetation.

Drainage issues

Possible highway safety issues

Two businesses conducted from address.
Notice board adverts erected
Any permission should prohibit business from premises and be conditional on signs being removed.
Narrow road.
Parking problems
Conflicts with policy CS10 (Design)
Building line
Impact on neighbours amenities
Previous loss of trees
Business use taking place

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) Impact on application site and locality
- (iii) Impact on residential amenity
- (iv) Impact on Trees
- (v) Highway matters

(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 on application site and locality

The proposed garage with room above would be located on the Langstone Road side of the property and would be viewable in the street scene. The building has been repositioned such that it would now be set behind the line of the fence/wall fronting Langstone Road, it has also been reduced slightly in height and size from the original proposal. The building would be pitched roofed with dormer windows. Its design is considered to be traditional in appearance and would be compatible with the character and appearance of the area.

The proposal includes new walls to both Woodbury Avenue and a short section to Langstone Road, together with a replacement fence to Langstone Road frontage. The wall/fence to Langstone Road would replace the existing fencing which is in poor condition. The wall and fence to the Woodbury Avenue frontage would mark a transition between the tall boundary treatments to Langstone Road and the lower and generally 'greener' frontages to Woodbury Avenue. On balance it is considered that the proposals to the Woodbury Avenue frontage would be acceptable in terms of the character and visual amenities of the area.

Concerns have been raised in relation to business use being carried out at the site and to the potential for the 'multi use' room to be used for business purposes. Given that the area is primarily residential in character and that any additional business use would increase activity, parking which would have impacts on the character and appearance of the area it is considered appropriate to impose a planning condition stipulating that the garage is to be used as ancillary accommodation to the dwellinghouse on site and not to be used for business purposes. It is however

acknowledged that a business use that is ancillary to the use of the main house as a dwellinghouse taking place within the main building would not in itself be likely to require planning permission. This matter has been assessed previously by the Councils Enforcement Team. Any expansion of this ancillary use into the proposed building would however contravene the proposed planning condition.

(iii) Impact on residential amenity

The main impacts from the development are considered to relate to 7 and 8 Regents Court to the north, 2a and 3 Woodbury Avenue and to 9 Langstone Road.

The garage would be positioned with a flank wall facing north which would be half hipped. No.8 has a large conservatory on its south elevation set closest. The gap between the conservatory and the proposed building would exceed 10m and would accord with the guidance contained within the Havant Borough Design Guide. There would be a degree of overlooking from the proposed east facing first floor windows toward 7& 8 Regents court, however, this would be at an angle which would reduce any impacts. Nevertheless, it is considered appropriate to insure that the most northerly window is obscure glazed and a condition is therefore recommended.

No.3 Woodbury Avenue is set off the site of the proposed garage and it is considered that the proposed development would have a limited and acceptable impact on No.3.

In relation to 2a, this property is set to the south of Woodbury Avenue. The repositioned access to No.1, would be opposite to this property there would also be a 1.8m high wall and fence to the site frontage. It is not considered that these alterations would have an unacceptable impact on No.2a.

(iv) Impact on trees

It is evident from google street view that a number of trees have been removed from the site in the past (as also commented on in representations received). These trees were not subject to TPOs and were not protected. There are a line of mature trees to the Langstone Road frontage which are subject to a tree preservation order. A Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan have been submitted in relation to the proposal which includes a driveway alteration to the garage. This has been assessed by the Councils Arboricultural Officer and is considered acceptable subject to conditions.

(v) Highway matters

In relation to highways matters, concerns have been raised in relation to highway safety and the junction with Langstone Road. The proposal has however been assessed by the Councils Development Engineer (Highways) who has raised no objection to the proposals.

8 Conclusion

The proposals are considered to be acceptable in principle and to have an acceptable impact on the character and appearance of the area and neighbours residential amenities. The impact on trees and highway impacts have also been assessed and are considered acceptable.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00897

(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 Compulsory Purchase Act 2004.
- 2 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 and walls 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.
- 3 The use of the amended access hereby permitted shall not commence until the existing access to the site from Woodbury Avenue has been closed.
Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first use of the building hereby permitted the most northerly dormer windows in the first floor on the east facing elevation 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.
- 5 The building hereby permitted shall be used for purposes ancillary to the principal use of the site for residential purposes and shall not be used for any business purposes.
Reason: The location of the site is unsuitable for the establishment of business activity as a principal or mixed use having due regard to policies CS16, CS20 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 The development hereby permitted shall be carried out solely in accordance with the Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan by Martin Dobson Associates dated 4th August 2016.

Reason: To ensure the retention of important trees along the Langstone Road frontage including trees subject to a Tree Preservation Order in the interests of the character and visual amenities of the locality and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy framework.

- 7 The development shall not commence above ground level unless and until details of the proposed surfacing materials including the measures to ensure that gravel is not transferred to the public highway have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development has an acceptable appearance and in the interests of highway safety having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) and the National Planning Policy Framework.

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

Location Plan OS License No. 100030848

Wall Detail Only (other details on plan superseded) on Drawing TR02 received 14th August 2015

Site Plan Drawing No. TR03 A

Proposed West Elevation Drawing No. TB01 dated September 2016

Proposed North, East (incorrectly labeled west), and South Elevations Drawing No. TB01 dated September 2016

Proposed Ground Floor Plan received 14th November 2016

Proposed First Floor Plan received 14th November 2016

Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan

Martin Dobson Associates Ref MDA: E80 dated 4th August 2016

Tree Constraints Plan June 2016

Tree Protection Plan June 2016

Planning Statement July 2015

Reason: - To ensure provision of a satisfactory development.