
Site Address:	Land rear of 111 London Road, Cowplain, Waterloo		
Proposal:	Construction of 1No. single storey 3 bed detached dwelling.		
Application No:	APP/16/00545	Expiry Date:	01/08/2016
Applicant:	Mr Chaplin C&G Construction & Development Ltd		
Agent:	Mr Bennett Kalotec Limited	Case Officer:	Daphney Haywood
Ward:	Cowplain		

Recommendation: **GRANT PERMISSION**

1 Site

The application site is located on the western side of London Road, to the north of the Cowplain District centre and to the north of the junction with Latchmore Forest Grove. This part of London Road is primarily residential in character comprising single and two storey dwellings, with some limited commercial development fronting London Road.

The site lies to the rear of 111 London Road a two storey property with retail on the ground floor frontage and residential to the rear and at first floor. Between the application site and the rear of 111 are 2 bungalows allowed on appeal, to the north is 2 storey housing served by Brewster Close and to the south is recently constructed 2 storey development beyond which lies detached mainly single storey dwellings in Latchmore Forest Grove. Adjacent the north eastern corner of the site is a large outbuilding providing garaging with ancillary floorspace above for the dwelling at 113 London Road. .

There are trees on and immediately adjoining the site including those covered by TPO. The site which is relatively level is currently undeveloped and over grown.

2 Planning History

APP/10/00594 - Demolition of existing house. Erection of 4No. new houses.,
PERM,31/01/2011
APP/11/01241 - Discharge of Condition No. 4 of Planning Permission APP/10/00594,
WD,11/09/2013
GEN/11/01042 - Update to Condition 8 of APP/10/00594., ,12/07/2012
APP/11/01389 - Discharge of Condition No/s 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,
17, 18 & 19 of Planning Permission APP/10/00594., SPL,28/08/2013
GEN/12/00512 - Ecology Information., ,26/07/2012
GEN/12/00720 - Proposed 2No. single-storey properties rear of site., ,30/08/2012
18:11:13
APP/12/01302 - Erection of 2No. 1 bed bungalows utilising existing access from
London Road, and underground pumping station., REF,11/03/2013
GEN/13/00293 - Proposed erection of bungalow., ,05/04/2013 14:40:00
GEN/13/00321 - Request for site visit., ,12/04/2013
APP/13/00392 - Erection of 1No. 1 bed bungalow utilising existing access from
London Road, and underground pumping station. (Revised Application.),

REF,21/06/2013

APP/13/00987 - Discharge of Conditions No/s 9, 10, 11 and 14 of Planning Permission APP/10/00594., PERM,21/10/2013

APP/13/01058 - Discharge of Conditions No's 2, 3, 4, 5 & 7 of Planning Permission APP/12/01302., PERM,03/12/2013

APP/15/00883 - Discharge of Condition Nos. 3, 4, 5, 8 and 8 of Planning Permission APP/15/00255., PERM,23/09/2015

3 Proposal

Construction of 1No. 3 bed detached dwelling with integral garage. The application as originally submitted was for a 2 storey house and the plans have been amended to a single storey 3 bed 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)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
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)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control

It is unclear from the plans whether the road and turning are adequate, it is noted that this has been approved under APP/14/00439 but consideration should be given to fire service and refuse service access as shown in Approved Documents B and H .

(officer note:- The approved road and turning were previously assessed and found satisfactory).

Development Engineer - Highways

The Highway Authority has no adverse comment to this application. I suggest the Planning Authority condition the construction and retention of the two spaces and cycle facilities as shown on the submitted plans.

Waste Services Manager No comments received

Public Spaces No comments received

Community Infrastructure

Application will be subject to CIL and a SRMP Unilateral Undertaking will also be required.

Arboriculturalist

No tree removal is required to facilitate this project. The supporting arboricultural evidence is comprehensive and provided that the methodology prescribed in this AMS & TPP report is strictly adhered to (inclusive of site monitoring works) the Oak tree 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.

Crime Prevention -Minor Apps No comments received

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: 22

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 6

Summary:

Initial plan

- The proposed house appears very close to the boundary, so will severely overlook gardens and properties of Brewster Close, reducing our privacy.
- Given the issues we face with the 'run off' of rain water from this site during wet weather periods, the addition of the proposed property would need to ensure the problems are not exacerbated.
- This will block our light and, once again, effect our privacy. Our garden was private until the new development took place. We are overlooked now and this house will compound matters.
- Our house was valued before the building works started and I'm sure the value will have now decreased due to the amount we are overlooked. This will also effect the saleability in the future.
- We are worried about excess noise due to the close proximity of the house.
- The drainage is a further worry as we have all had problems in the past. We agreed, in the beginning, that they could cut the boundary trees down, as this would let much more light in to our garden. Now they want to put a house there??? I think that Mr Burton has pretty much had everything approved, up until now. Please consider this very carefully as I think it's time the local residents are listened to and their concerns taken seriously.
- strain on existing sewers and storm drains.
- As a mid-terrace house, we rely heavily on natural light. The new dwelling will obviously reduce this considerably. I would like this to be taken into account also.

Amended plan

- We are still objecting to the further development on this site. Comparing the existing bungalow and it's location against our neighbours boundary, gives a clear

indication that light will be taken from our property and privacy will be further invaded. Also, the house currently under construction is so close to the completed property adjacent, it's clear to see that new and existing occupiers are not being taken in to any consideration whatsoever. I repeat my question, surely enough is enough now? On top of all I have already mentioned, I reiterate that the value of our house is already affected and the addition of another property will have further damaging costs to ourselves.

Comment:

Impact on property values would not support refusal. The other matters are addressed under 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) Effect on the character of the area
- (iii) Impact upon residential amenity
- (iv) Adequacy of parking and access
- (v) Effect on surrounding trees
- (vi) Ecological issues
- (vii) 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) Effect on the character of the area

The site lies to the rear of development fronting London Road in a backland location. The Council adopted the Havant Borough Council Borough Design Guide Supplementary Planning Document in December 2011. The aim of the document (SPD) is to provide detailed information that supplements Policy CS16 of the Havant Borough Core Strategy, to raise the standard of design across the Borough and set out what the Council expects developers to deliver in terms of the design of new developments and how the distinctive character and qualities of the Borough should be respectfully improved and enhanced through development. The Design Guide SPD clearly states that new developments should follow the common building line i.e. that defined by immediate neighbours and ensure there is an appropriate degree of enclosure that makes streets feel welcoming.

The surrounding area is of mixed character and layout including back land development and given this variety of form and layout and in particular the newly constructed bungalows allowed on appeal plus the 4 recently construction dwellings opposite, it is considered that the proposed development which can be satisfactorily accommodated on the plot would respects the character of the area and would not result in an adverse impact.

(iii) Impact upon residential amenity

Backland development has a role to play in delivering the councils housing and development targets. However, such sites usually have a close relationship with surrounding properties and as such have the potential to have significantly impacts. Policy CS16 of the Core Strategy refers to High Quality Design and amongst other things requires that:

e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking".

The main impact relates to properties in Brewster Close and Arun Close. In respect to Arun Close, the relationship accords with that of a small cul-de-sac development and the proposed dwelling is considered to have an acceptable impact on residential amenity. Regarding properties in Brewster Close, these properties are sited to the north and window to window separation would exceed the 20m minimum set out in the Borough Design Guide. Additionally the proposal has now been amended to single storey and as such an appropriate level of privacy is retained. As the proposed dwelling would be located close to the boundary with the garden to 4 Brewster Close in order to reduce the impact in terms of loss of light and overbearing impact to this amenity area the plans have been amended to substantially reduce the bulk and height of development, and only ground floor accommodation is proposed with a single storey eaves height. No first floor accommodation is proposed and in order to control loss of privacy in the future a condition removing permitted development rights for first floor windows and alterations is proposed.

Concern has been raised regarding noise given the proximity of the proposed dwelling. The north elevation has been designed with only 3 openings serving a bed room, bathroom and utility, and the main living rooms would face away from properties in Brewster Close, and this relationship is considered acceptable.

The area to the rear of 109 and 111 London Road has been the subject of on going incremental development over an extended period, and whilst this can be disruptive it does not support a refusal reason, however an informative regarding hours of work etc is proposed. Any concerns regarding drainage can be satisfactorily addressed by condition.

The revisions now proposed, and in particular amending the development to single storey mean that the impact of the development on the amenities of neighbouring properties would be limited and acceptable meeting the requirements of Policy CS16 of the adopted Core Strategy.

(iv) Adequacy of parking and access

Access provision is as previously approved for the 4 dwellings, and the application details provide for 2 parking spaces and this accords with the Council's adopted standards. The Council's Highway Engineer has raised no objection to the proposal with respect to access and parking.

(v) Effect on surrounding trees

An Arboricultural Impact Assessment and Tree Protection Plan have been submitted in support of the application. The Arboriculturalist has assessed the proposal and considers that an objection on impact on TPOed trees cannot be substantiated.

(vi) Ecological issues

The development would increase the number of dwellings within the zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. The approved measures of mitigation require a payment of £176 per dwelling to the Solent Disturbance Mitigation Project. This payment and the associated deed have been received, addressing this matter.

(vii) CIL Liability

The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20th February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy was set at £80 per square metre on new floorspace (measured as gross internal area) and is indexed. The CIL Additional Information Form and Assumption of Liability in respect to the amended plans have been completed.

8 Conclusion

In conclusion, it is considered that the proposed development would be acceptable in principle and would help meet the Council's housing targets, with associated

economic and social benefits in that respect. It would have an acceptable impact on the character and appearance of the area. The amenities of neighbours have been assessed and the impacts are considered acceptable and in line with adopted Design Guidance. The access and turning together with on site parking is considered acceptable. Drainage issues have been suitably addressed at this stage. The social and environmental impacts of the development on the existing site and surrounding development have therefore been suitably taken into account in the proposals. Planning permission can therefore be recommended.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00545

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 and documents:
Location-block Plan 2016-LR.01
Proposed site layout 2106.LR.02 Rev D
Ground floor plan 2016.LR.03 Rev D.
Elevations 2016.LR.04 Rev D
Street scene elevations 2016.LR.05 Rev D
Tree Report prepared by Alder Consulting Ltd ref D1526AIAL2 dated 6 May 2016
Reason: - To ensure provision of a satisfactory development.
- 3 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: In the interests of the amenities of the neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 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 shall take place until all trees that are 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.

- 6 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, 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, prevent damage to tree roots 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.

- 7 No above ground development hereby permitted shall be commenced until a more 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, specie sand 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 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 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.
- 9 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension or building alteration, including windows/roof lights/openings above ground floor level within the north and west side elevations, of the development hereby permitted shall be constructed without the prior approval of the Local Planning Authority.
Reason: To safeguard the amenities of the area and the 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 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.