

Recommendation: **GRANT PERMISSION**

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)

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)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Development Engineer

No objection raised. A condition should be placed in any permission ensuring that the parking and turning area is constructed and retained as shown on the submitted plan and that the access between the existing building and boundary is retained at a minimum width of 3.3m

Building Control

No solid waste storage indicated. Must comply with AD H

Unable to assess width of access road or turning facility to see if AD B requirements have been met

Waste Services Manager

No objections

Landscape Team

No landscape objection subject to inclusion of following conditions:

Levels, hard and soft landscape details and boundary details

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: 35

Number of site notices: At least one site notice exists - check the number.

Statutory advertisement: Not applicable.

Number of representations received: 5

6No. objections have been received against the application. A summary of the points raised is provided below:

- i. The introduction of car parking at the end of the garden will result in noise problems from car engines, doors slamming and fumes to properties in North Street.
- ii. The proposal will impact on the light, privacy and garden from No. 92 North Street
- iii. The proposal will adversely impact on property prices.
- iv. The buildings will directly overlook at the garden of No. 92 North Street.
- v. Development will cause noise and disruption to the quiet enjoyment of rear garden

at No. 94.

vi. First floor windows will have a clear view of No. 5a Victoria Avenue

vii. Loss of light to rear of No. 5a Victoria Road.

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 on character and appearance of the area
- (iii) Effect on residential amenity
- (iv) Highways matters
- (v) 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 on character and appearance of the area

The area is predominantly characterised by residential development but with the inclusion of the railway station and some industrial units to the north of the application site. The proposed development would form backland development, being located to the rear of the building line of development on the north side of Victoria Road. Properties in the immediate locality are mainly two-storey, built in a traditional style and either detached or semi-detached. The properties in North Street are set on a slightly higher ground level than those at the eastern end of Victoria Road.

The Council's adopted SPD - Borough Design Guide provides guidance on residential backland development and acknowledges that backland and infill developments have a role to play in delivering the Council's housing and development targets. It advises that backland development should not dominate in terms of mass or height, the street or public frontage, or buildings on this frontage. It should be well designed, and also be subservient and smaller in size, massing and scale to the frontage property.

The originally submitted plans included a pair of dwellings with a ridge height of 7.5m with full gable ends. Amended plans were received part way through the applications which reduced the height of the dwellings to 6.5m and also a new roof profile with hipped corners. The properties would now be subservient to the main dwelling in terms of height, scale and massing, whilst the design is traditional in character, in keeping with the existing form of development in the immediate locality.

The properties would be set well back into the site so would not be highly visible from the context of the streetscene. The plot would be subdivided and the newly formed garden to No. 3 would be 10m in depth. The rear gardens to serve the new properties would be 8.8m which is less than the 10m depth recommended for new residential developments.

However, the layout does achieve a parking area to the front of the properties which provides two spaces for each new dwelling. If the rear gardens were increased in depth to 10m, this parking area would be compromised. Furthermore, the width of the proposed rear gardens at 7.2m in depth is fairly generous and overall therefore it is considered that a reasonable amount of amenity space would be provided.

(iii) Effect on residential amenity

The Council's adopted SPD - Borough Design Guide advises that backland developments should not have an adverse impact on neighbouring properties in terms of overlooking or being overbearing. It is therefore important that proposed designs incorporate reasonable separation distances and avoid the inclusion of windows which could result in a loss of privacy.

A number of objections have been received against the application with regards to these potential impacts as well as affecting the current quiet enjoyment of rear gardens in North Street which back onto the parking area serving the new dwellings. With regards to the potential impact on the adjacent property at No. 5a Victoria Road, the closest dwelling would be over 15m in distance. At this distance, the potential for adverse overlooking would not be possible. Furthermore, the closest first floor window would be obscurely glazed as this would serve a bathroom. Whilst the development would be visible in the background from the rear windows in No's 5a and b, the low ridge height and reduced massing of the building means that it would have less visual impact.

With regards to the potential impact on No's 88-96 North Street, there would be a 20m separation distance from the rear of No's 92 and 94 to the side elevation of the new properties. There would be no windows in the eastern elevation and therefore no overlooking would occur. In terms of the visual impact of the development, this would be minimised by reason of the site being on slightly lower ground level than the rear gardens and properties in North Street and also the low ridge height would of 6.5m. The 20m distance to the rear windows would mean that a reasonable relationship would be maintained.

Three of the proposed car parking spaces would be located adjacent to the shared boundary with No. 90 North Street. The existing driveway was already in situ and extended into the rear garden, serving a detached garage and some workshops (now demolished). As such, there was an established presence of vehicular activity with the rear garden of No. 3. No. 90 has a rear garden depth of over 20m and therefore the parking area and its associated activity (engines starting, door closing etc) would be located some distance away. Overall is considered that given the distances involved, the impact would not be so significant as to warrant a reason of refusal of the application.

(iv) Highways matters

The development would be accessed via the existing driveway which has a width of 3.3m. The Council's Highways Officer has advised that a condition should be placed in any permission ensuring that the parking and turning area is constructed and retained as shown on the submitted plan and that the access between the existing building and boundary is retained at a minimum width of 3.3m. Four parking spaces are proposed for the new dwellings which is in accordance with the adopted parking standards. There would be no parking provision for No. 3 however, the large majority of properties, by nature of their age, do not have on site parking. There is on road parking available and the site is located in a sustainable location, very close to the train station, town centre and bus routes on North Street. On balance it is considered that this lack of parking would not have a significant adverse impact on the amenity of the immediate locality.

(v) Developer contributions

The development would be liable for CIL contributions charged at £100/sqm of floorspace plus indexation. A CIL liability form has been submitted.

In addition, the development would require a contribution of £176 per dwelling (plus monitoring and admin fee) to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Disturbance Mitigation Partnership (SDMP). A contribution and the relevant paperwork has been received.

8 Conclusion

It is considered that the proposal would provide a form of sustainable development as defined by the NPPF. It would contribute to the well needed housing stock in the Borough, providing family homes with parking and amenity space in a sustainable location. The application is therefore recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00713 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 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.
- 3 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.

- 4 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.

- 5 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: 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.

- 6 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.

- 7 The car parking (including 2no. spaces for each new dwelling), 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.

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

Proposed site plans - DN: D8416_10/01

Proposed north and east elevations - DN: D8416_10/21

Proposed south and west elevations - DN: D8416_10/20

Proposed floor plans - DN: D8416_10/10

Reason: - To ensure provision of a satisfactory development.

- 9 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 10 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.
Reason: In the interests of the amenities 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 2012.
- 11 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 the site 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.