

DM10 (Pollution)
DM13 (Car and Cycle Parking on Residential Development)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM24 (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Borough Design Guide SPD (Adopted December 2011)

Housing SPD (Adopted July 2011)

Residential Parking and Cycle Provision SPD (Adopted March 2010)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, (Fire Access Consultation): Hampshire Fire and Rescue Service (HFRS) minimum width for access road should be 3.7m HFRS Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations. Insufficient detail has been provided at this stage to confirm compliance.

HFRS: would strongly recommend that consideration be given to include the installation of Automatic Water Suppression Systems (AWSS)

Arboriculturalist: Having read the arboriculture information it appears sound in part. However, my concerns are that although the proposed unit falls outside the Root Protection Area of the Oak it is a very dominant feature within the new garden area. This dominance has a potential to negatively affect any future occupants enjoyment of the outside space/rooms on this aspect, which may result in an excessive pressure to prune this tree beyond what would be considered reasonable for this Oak. Due to the position of the Oak within the new garden area and its relation to the proposed dwelling I am unable to support this development.

Comments on the amended plans: The revised siting, which provides an improved relationship with the Oak tree and a more useable garden area, is acceptable subject to appropriate tree protection measures.

Development Engineer - Highways: The Highway authority has no adverse comment to this application, providing a condition is imposed for the construction of a new vehicular crossing and turning on site provided for the new house at the back of the site. I would suggest that the Planning Authority impose a planning condition on the retention of the parking shown on the plan in order to satisfy HBC Parking Standards and that cycle facilities should also be provided.

Ecology: Having reviewed the attached ecology report I am content that there is minimal potential for ecological impacts.

Waste Services Manager: I have no concerns over waste collection regarding this planning application.

Public Spaces Development Manager: No comments received

Environmental Health Manager: Requests that conditions in respect to noise from construction works, dust suppression methods, bonfires and lighting be imposed on any consent that might be granted.

Officer note: Conditions in respect to a construction management statement and bonfires are proposed, lighting and hours of working would need to be the subject of an informative.

Crime Prevention: 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: 10

Number of site notices: one

Statutory advertisement: Not applicable.

Number of representations received: 4 plus one letter in support.

Summary:

- Loss of amenity from overlooking, overshadowing, rear access and parking, proximity of the driveway and the possibility of noise from car doors etc and headlights.
- The road itself is very narrow and cars are parked halfway on the pavement, and halfway in the road, making it possible for a single vehicle to travel down the road, but it makes it impossible to walk on the pavement with a child buggy. We have to walk in the middle of the road, and get out of the way of any vehicle trying to drive on it. The proposed development will add to the congestion and highway hazard, and emergency vehicles will be unable to gain access.
- Modern 4 bedroom possibly out of keeping with 100+ year old houses.
- I would like to point out also that the last two residences in Rowlands Avenue are on one level at the rear of the property, effectively bungalows. The proposal is for a large four bedroom house, less than thirty feet from the bottom of our gardens. The open aspect of the house is going to face North, so we will have all the main windows and French doors directly overlooking our property. We feel that this is an invasion of our privacy, and that we will have to endure the noise of a large family.
- I would like to reiterate my previous concerns over this development, particularly the proximity to my living areas, I have read the rebuttal statement, it has been proved over time that no surface or fencing is 100% successful, I fear I will be living in a car park.
- There appear to be a large bat population around our gardens and since this

mammal is a protected species, it would be very concerning if with this development they disappeared.

- **Comment:**

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- See section 7.

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- **7 Planning Considerations**

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- Having regard to the relevant policies of the development plan it is considered that the main

- issues arising from this application are:

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- (i) Principle of development
- (ii) Impact upon the street scene and character of the area
- (iii) Impact upon residential amenity
- (iv) Highway considerations
- (v) Impact on TPOed Oak tree and ecology
- (vi) Contribution Requirements and CIL

(i) Principle of development

The application site is situated within an urban area Development Plan policies support further development subject to the usual development control criteria.

(ii) Impact upon the street scene and character of the area

The application proposes to retain the original property to the front of the site to ensure that the development respects the traditional character and appearance of the area in accordance with the Borough Design Guide. In respect to the backland dwelling and the proposed access, backland development and plot severance exists within the surrounding area, and the proposal which provides for a 2m landscape strip adjacent the access would not appear out of character with the surrounding area.

(iii) Impact upon residential amenity

Backland development has the potential to adversely impact the neighbouring properties from overlooking and activities associated with a backland dwelling and its access.

In respect to the adjoining properties, the site adjoins 62 Jubilee Road to the west. This property is attached to the application site and the proposed ground floor extension to the frontage development would extend 2.5m beyond the rear of No 72, and is not considered to result in detriment. Regarding the dwelling to the rear, the property has been designed with only roof lights facing No 72 and these would have a minimum sill height of 1.75 to maintain privacy.

In respect to 68 Jubilee Road, which lies to the east, the main impact relates to the proposed drive, which would be constructed near the side boundary with this property. No 68 has a number of windows to habitable rooms facing and in proximity to the boundary, and the proposed drive would be approximately 6m from these windows and 2m from the side garden. It is proposed to surface the driveway with a low noise generating material such as block paviors, and the proposal includes provision of an acoustic fence along the eastern boundary to reduce the amount of noise and light

omitted from vehicles and activities. These measures can be controlled by condition, together with the 2m strip available for landscaping, and the restriction of the drive to serve a single property is also considered to reduce the potential impacts to a level where refusal could not be supported by Development Plan Policies.

The proposed development backs onto bungalows in Rowlands Avenue. The proposal would provide a rear garden depth to the proposed chalet bungalow of 13m, providing back to back distances between dwellings in the order of 25m, which would satisfy the minimum 20m threshold of the Borough Design Guide SPD (Adopted December 2011). This relationship is considered to accord with the Development Plan and the Design Guidance.

(iv) Highway considerations

The proposed development includes the provision of 7 off-street parking spaces, which is in accordance with adopted standards. The Development Engineer has been consulted and has stated the Highway Authority have no objection to the proposed development, subject to standard parking/turning conditions.

Local residents have raised concern regarding the impact of the development given the existing congestion and parking on the pavements. This is a result of the existing development and it would not be appropriate to require the proposed development to resolve existing parking problems. The present proposal provides for parking in accordance with the Council's adopted standards and a refusal on this basis cannot be substantiated.

(v) Impact on TPOed Oak tree and ecology

An Arboricultural Impact Appraisal and Method Statement has been submitted in support of the application, and the proposal has been amended to reduce the footprint of the proposed chalet bungalow, resulting in a more useable garden area. The Arboriculturalist is now satisfied with the submission and the relationship with the TPO Oak tree. In terms of the rear layout of the bungalow, the proposed dormer window closest to the TPO Oak will serve the bathroom, which is a room that requires limited outlook. The other dormer window is sited sufficiently far from the tree to provide adequate levels of outlook and will not be excessively overshadowed by the tree canopy. As such the proposal is considered to comply with Development Plan policy.

Following concerns raised by local residents regarding adverse impact on protected species the applicant has provided an Ecology Report. This has been assessed by the County Ecologist, who has advised he is satisfied that there is minimal potential for ecological impact.

(vi) Contribution Requirements and CIL

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 20 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 for Waterlooville is charged at £80 per square metre on new residential floorspace (measured as gross internal area).

This development would increase the number of dwellings within the 5.6km 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 measures of mitigation adopted by the Council at the end of June this year requires a payment of £172 per dwelling to the Solent Disturbance Mitigation Project, and this payment has been received.

8 Conclusion

The proposal is considered to accord with Development Plan policy, the requirements of the Borough Design Guide and Parking Standards and approval is recommended.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/01273, subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with 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:

Survey drawing 13563 S1
Proposed ground floor part site plan 806 drawing no. 3 Rev C
Proposed first floor part site plan 806 drawing no. 4 Rev C
Proposed elevations/site section 806 drawing no. 5Rev D
Existing and proposed site layout 806 drawing no. 6 Rev C
Proposed chalet bungalow floor layouts and roof plan 806 drawing no. 7 Rev C
Location Plan and Block Plan 806 drawing no. 9 Rev C
Email dated 21 January 2015 confirming confirm that the upper floor velux windows on the front (south) elevation would be a minimum of 1.75m above FFL.

Reason: - To ensure provision of a satisfactory development.
- 3 The development shall not be brought into use until a turning space is provided within the site to enable vehicles to enter and leave the site in forward gear in accordance with details to be agreed in writing by the Local Planning Authority. This space shall thereafter always be kept available for such use.
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 2012.
- 4 No development hereby permitted shall commence until plans showing, in relation to the existing trees and other vegetation proposed to be retained, the layout of all foul and surface water drainage and other underground services

proposed to serve that development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard against undue damage to existing trees and/or other vegetation at and in the vicinity of the site 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.

- 5 Construction of the building(s) hereby permitted shall not commence until a specification of the types and colours of all external roofing and external facing materials, including the provision of sample panels of the external facing materials and colour of mortar to be used for the construction of the same, has been submitted to and approved in writing by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: In the interests of 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 2012.

- 6 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 CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 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 policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure, including the acoustic fence proposed along the boundary with 68 Jubilee Road, have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use

prior to the completion of the installation of all screening/fencing provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

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 2012.

- 9 No development including site clearance shall commence on the site until all trees / shrubs and / or other natural features, not previously agreed with the Local Planning Authority for removal, shall have been protected by fencing along a line to be agreed in writing with the Local Planning Authority . Such fencing shall conform to the following specification in accordance with BS5837 2005.

Minimum 2.4 metres high, comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting a minimum of 20mm exterior grade ply.

Such fencing shall be maintained throughout the course of the works on the site, during which period no access, placement of materials, fuels or chemicals, soil or other materials shall take place inside the fenced off area.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A/D/E and F of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) England) Order 2008, 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 character and amenities of the development having due regard to policy CS16 of the Havant Borough Local Plan Core Strategy 2011 which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.

- 11 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows / doors or other openings at first floor or above shall be constructed in the elevations of the development without the prior written 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 2012.

- 12 The roof lights in the front (south west elevation) of the chalet bungalow hereby approved shall be constructed and maintained with a minimum cill height of 1.75m above floor level.

Reason: In the interests of the amenities of neighbouring properties and

having due regard to policy CS16 of the Havant Borough Local Plan Core Strategy 2011 which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012

- 13 The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.
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 2012.
- 14 No burning of materials shall take place anywhere on the development site, throughout the period of site clearance and development.
Reason: To protect the health of trees to be retained in the interests of amenity and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 15 No development shall commence until a Construction Management Statement setting out the measures to deal with contractors parking, materials store, deliveries and dust suppression has been submitted and approved by the Local Planning Authority. The Development shall be constructed in accordance with the approved details.
Reason: In the interests of the character and amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan Core Strategy 2011 which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012
- 16 The garage hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation.
Reason: To ensure the retention of adequate on-site car parking and to discourage parking on the adjoining highway in the interests of local amenity and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 17 The development shall be carried out in strict accordance with the submitted Arboricultural Impact Assessment Method Statement by Johnston Tree Consultancy and appendices, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the trees are not adversely affected by the construction of the development and having due regard to policy DM8 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 18 The development shall not be brought into use until space for the loading, unloading and parking of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.
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 2012.