

Recommendation: **GRANT PERMISSION**

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)
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

Southern Water: No adverse comments Informative requested

Highway Authority has no adverse comment on this application subject to a condition stating the areas shown for the parking and turning on site shall provided and retained along with the cycle facilities.

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: 4

Number of site notices: one

Statutory advertisement: Not applicable.

Number of representations received: 0

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 upon the character of the area
- (iii) Impact upon residential amenity
- (iv) CIL and Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development

(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 upon the character of the area

The application is for the demolition of several existing outbuildings and construction of a new detached dwelling. The approved layout plan for the Major Development Area to the west provides for new tree and shrub planting adjacent to the western boundary of the application site and then a new driveway with a row of traditional two-storey residential development facing towards the application site (the dwellings have now been constructed and neighbour notification letters have been sent to the relevant properties and the developer). The proposal, which would involve the development of land to the rear of Meadowlea - which prior to the development of the MDA may have been seen as an undesirable 'backland' form of development - would now be viewed in relation to the adjoining MDA which comprises two storey development extending back from Hambledon Road and in this context the addition of a further dwelling set behind Meadowlea would accord with the character of the area and accord with the requirements of Policy 16-1c of the Local Plan.

(iii) Impact upon residential amenity

To the east of the application site is Benhall, the adjoining semi-detached two storey dwelling. The proposed dwelling provides for 20m separation from the windows with Benhall, and whilst sited in only 0.5m from the side boundary, this reflects the siting of the outbuildings to be demolished. The plans have been amended to provide barn hip ends and it is considered that the impact in terms of loss of light and outlook to Benhall will not be so detrimental as to warrant refusal of the scheme.

With respect to the access and parking arrangements, the access is existing and the plans have been amended to provide space for hedging to the parking area adjacent the boundary with Benhall to act as a buffer. The proposed garden area, which backs onto a landscaped area within the MDA has been increased in depth to 7m by 10m wide and this is considered adequate to serve the proposed dwelling (the generous width of the plot compensating for the limited depth; with an open aspect beyond). Benhall has an existing out building which will partly shield activities from the garden to the new dwelling, and the impact on the amenities of Benhall is considered acceptable.

The new dwellings on the Major Development Area would be in excess of 12m from the proposed dwelling, which has only a bathroom window at first floor in the side elevation. This is an adequate separation distance and the proposal is considered to satisfy the requirements of Policy 16-1e of the Local Plan in respect to the impact on residential amenity.

In terms of the impact on Meadowlea, the access drive would run the length of this property, but this is the existing arrangement and whilst not ideal a refusal on this ground could not be supported given the historic blacksmith use at the end of the drive. Meadowlea will retain parking for 3 cars to the front and a small but adequate garden area to the rear, the depth of which accords with the guidance in the Borough Design Guide.

(iv) CIL and Recreational Disturbance to Special Protected Areas (SPAs) from

Residential Development

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 measures of mitigation adopted by the LPA at the end of June this year requires a payment of £172 per dwelling to the Solent Disturbance Mitigation Project. This payment has been paid and the relevant form has been completed by the applicant.

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 is charged at £80 per square metre on new floorspace (measured as gross internal area) In waterlooville.

- 7.14 It is considered that there is a CIL liability for this site and the Assumption of Liability Notice has been received.

8 Conclusion

The proposed development would make efficient use of the land and provide additional housing for the Borough. The development has been carefully designed not to harm the character of the area or the residential amenity of surrounding residential properties. Sufficient turning and parking provision has been provided on-site to ensure that there would be no harm to the highway network. The recommendation is to grant permission subject to conditions.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00267 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:

Proposed dwelling Drawing no CFA/FULL/01 Rev 03

Reason: - To ensure provision of a satisfactory development.
- 3 Construction of the dwelling hereby permitted shall not commence until a specification of the types and colours of all external roofing and external facing materials 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 Construction of the dwelling hereby approved shall not commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floor of the proposed building and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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.

- 5 Construction of the dwelling hereby approved shall not commence 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.

- 6 Construction of the dwelling hereby approved shall not 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 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 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.

- 7 Notwithstanding the details shown on the approved plan, all the windows at or above 1st floor level in the side elevations of the dwelling hereby approved shall:-

(i) consist of at least two lights divided horizontally with only the top light capable of being opened, and shall be maintained in that condition at all times; and

ii) at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

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.

- 8 The development shall not be brought into use until parking provision for cars and cycles, and a turning space to enable vehicles to enter and leave the site in forward gear have been provided within the site in accordance with the approved plan CFA - FULL - 01 Revision 03. Such parking provision and turning area shall thereafter always be kept available for such 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.