
Site Address:	Land rear of 3 Queens Road, Waterloo, PO7 7SB		
Proposal:	Construction of 1No. 2 bed detached chalet style dwelling (Resubmission).		
Application No:	APP/16/00081	Expiry Date:	22/03/2016
Applicant:	Mr Cook	Team:	Team 2
Agent:	Mr Tutton	Case Officer:	David Eaves
	Robert Tutton Town Planning Consultants Ltd		
Ward:	Waterloo		

Recommendation: **GRANT PERMISSION**

1 Site Description

Queens Road is a primarily residential area characterised by mainly detached dwellings. No 3 Queens Road comprises a detached dwelling sited on the south side of the Road in a relatively large plot backing onto mature woodland which is covered by a TPO. The road is characterised by frontage development, although there is some backland development on the opposite side of the road.

2 Planning History

05/50099/001 - Demolition of existing dwelling on site and erection of a two storey building comprising of 10No. flats (8No. 1 bed and 2No. 2 bed) with associated bin and cycle storage and car parking utilising the existing access to Queens Road., REF,12/10/2005

06/50099/002 - Demolition of existing structures and construction of 4 no. semi detached 3 bedroom houses with associated parking and cycle stores., REF,14/08/2006

APP/14/01229 - Construction of 1No. 2 bed detached chalet style dwelling., REF,26/01/2015

APP/15/00809 - Fell 1No. Beech and reduce back to rear boundary of 3 Queens Road, 2No. Lime, 1No. Pine, 1No. Yew and 1No. Ash, within the curtilage of Park Wood and subject to W1 of TPO 1092., PERM,14/09/2015

3 Proposal

Construction of 1No. 2 bed detached chalet style dwelling (Resubmission).

Construction of 1No. two bed detached chalet style dwelling (with a study / guest room) to the rear of the existing dwelling. The proposed dwelling would have a gross floor area of 132 sq m and be sited on a plot of approx 699 sq m. A plot of approx 795 sq m would be retained for the existing dwelling. The proposed dwelling would be sited approx 11m from the existing dwelling at its closest point, 8.5m from the

boundary with the wooded area and 16m from the boundary with properties fronting London Road. A new access drive is proposed to the east side of the existing house and adjoining the boundary with No 1 Queens Road and properties fronting London Road. Two parking spaces and turning would be provided on site. As the proposed dwelling would be 43m from the adopted highway it is anticipated that a sprinkler system may need to be fitted.

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)
CS16	(High Quality Design)
CS21	(Developer Requirements)
CS9	(Housing)
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

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

County Ecologist:

The application is not accompanied by any ecological information and so I have therefore carried out my own desk-based assessment using recent GIS mapping and online sources. Whilst the garden itself will be of negligible ecological value (being well-maintained) the site abuts an area of woodland known as Park Wood, Havant SINC. It is highly probable that this area of mature woodland will support various protected species including roosting bats – indeed there are records of bats within the wood.

Although no trees within the woodland will be directly impacted, I note the concerns of the HBC Arboricultural consultee and would add that excessive artificial lighting can impact bats. I would therefore suggest that no artificial lighting such as exterior security lights are placed on the southern elevation of the new dwelling. Perhaps this could be covered by a condition?

Officer Comment: Condition recommended in relation to lighting.

Arboriculturalist HBC:

The site has now been unsympathetically cleared of all non TPO trees opening it up to the streetscene and eastern boundary. The TPO trees in the woodland to the south

have been pruned back to the boundary under application and a Beech tree removed.

The trees in the woodland are still considered a constraint to development in terms of above ground implications and a negative impact on the living space / light of any future dwellings. The trees fall outside the control of the site owners and as such can not be reduced in height without permission from the Park Woods (Woodland Trust).

In addition to this there is a condition for a replacement tree to be planted to mitigate for the loss of the Beech - this will require a decent amount of space on site to accommodate its growth.

Officer Comment: These issues have been discussed in detail with the Councils Arboriculturalist. Whilst the trees are a constraint on development and have clearly influenced the design of the proposed dwelling, it is not considered that a refusal based on the impact on trees from the proposed development nor, the living conditions of future residents could now be substantiated such as to warrant a refusal of planning permission.

Building Control:

Consultation with HFRS recommended, high level of glazing may require thermal calculations.

Forestry Commission

No comments received.

Hampshire Fire & Rescue

Access and facilities for Fire Services Appliances and Firefighters should be in accordance with Building Regs.

Access to the proposed site should be in accordance with Hampshire Act 1983 Section, 12 (Access to buildings within the site will be dealt with as part of the building regulations application at a later stage). Access roads to the site should be in accordance with Approved Document B5 of the current Building Regulations.

Advice provided in relation to :

- Access for High Reach Appliances
- Water Supplies
- Sprinklers

Hampshire Fire and Rescue Service (HFRS) would strongly recommend that consideration be given to include the installation of Automatic Water Suppression Systems (AWSS) as part of a total fire protection package

- Fire fighting and the Environment
- Timber Framed Buildings

Development Engineer (Highways)

The Highway Authority has no objection to this application provided a planning condition is imposed requiring a dropped kerb vehicular access to be provided and that turning on site is provided to enable a car to exit the development in a forward gear. I would suggest that to conform to the HBC car parking standards two car parking should be provided and retained on site.

Waste Services

No concerns over waste collection regarding this planning application.

Crime Prevention -Minor Apps

No comments received.

Public Spaces Development Manager

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: 9

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 7 representations (Object) - (9 names)

Summary:

Overdevelopment

Overlooking to 207 and 209 London Road

Impact of proposal on health

No need for additional dwelling (housing estate being built up the road)

Screening removed between dwellings

Noise and pollution

Noise and pollution during building works

Loss of amenity within garden

Overlooking to back bedrooms and conservatory

On street car parking issues

Concern over noise from access drive materials

Impact on privacy

Drainage concerns/flooding

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 streetscene and character of the area
- (iii) Impact upon residential amenity
- (iv) Impact on TPOed trees.
- (v) Ecology
- (vi) Highways
- (vii) Drainage
- (viii) CIL and 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 upon the streetscene and character of the area

The proposed dwelling would be sited to the rear of the existing development and would not be prominent in the street scene. Whilst the proposed access will be visible, to the west it will be partially screened by the existing tree, and to the east it is proposed to provide a landscape strip varying in width from 1.2 to 1.5m. This will soften the impact of the drive, and given the existence of a similar form of development on the opposite side of the road, the visual impact is considered acceptable.

(iii) Impact upon residential amenity

The main impact relates to the existing dwellings at No 3 and No 5 Queens Road and the dwellings which lie to the east. In respect to the existing dwelling at No 3, the property will retain a garden varying in depth from 10m to 14m, and whilst this is relatively modest for the size of the existing house, it is considered adequate for the dwelling and comparable to the size of the existing plot for 1 Queens Road. The angle between the main windows of the existing and proposed dwelling would also help to reduce any direct overlooking.

In respect to the impact on 1 Queens Road, the proposed access would be sited adjacent the boundary to this property. In order to minimise the impact of the drive it is proposed to provide landscaping adjacent the boundary fence with a width of between 1.2-1.5m. As the access would serve a single dwelling this is considered acceptable. Reference has been made in the representations to the use of gravel being noisy although the application site plan states gravel or block paving, it is recommended that a condition be imposed for a porous brick driveway to reduce noise be imposed.

In respect to properties fronting London Road, whilst it is appreciated that the fall of the land increases the impact of the development and that previously existing boundary trees have been removed, the proposed dwelling would be a minimum of 16 m from the boundary and window to window distances at 36m to No 205 and 48m to 207 satisfy the 20m minimum standard set out in the Councils Design Guide SPD, and this is considered acceptable.

Regarding 5 Queens Road, the proposed dwelling would be set off the boundary, sited on lower ground and does not have any first floor windows facing this boundary, and the proposal is not considered to result in a significant impact on the amenities of this property.

Concern has been raised in relation to the construction phase of the development and impacts on health. Whilst these concerns are appreciated, the proposal is for the erection of a single dwelling and the development phase is a temporary impact. Informatives have been added in relation to hours of construction, bonfires and dust. Should problems arise causing a statutory nuisance, these can be addressed under Environmental Health regulations.

(iv) Impact on TPOed trees

The current application follows on from an earlier refused application partly in relation

to the impact on trees and the future living environment for residents. Since this time a number of non-TPO trees have been removed from the site and works have taken place to trees within the woodland to cut them back to the boundary line (subject to separate consent). Whilst the site is still not ideal due to the relationship with the woodland, there would be a set off from the woodland boundary of 8.5m. The building is designed to face east with a front patio area and significant glazing to the eastern side. On balance it is not considered that a reason for refusal could be substantiated in relation to the impact on trees or the future living environment of future residents.

A planning condition is required in relation to tree protection and the construction of the access drive, together with landscaping for the eastern boundary.

(v) Ecology

The County Ecologist has raised no objections to the proposed works subject to a condition in relation to lighting to reduce any potential impact on bats and the adjacent woodland.

(vi) Highways

Local residents have raised concern regarding traffic congestion and conflict with parking for the surgery. The development provides for on site parking in accordance with adopted standards, however, should permission be granted it would be necessary to seek a construction management plan to cover the construction stage.

The Development Engineer (Highways) raises no objection to the proposed development. Car and cycle parking will need to be conditioned.

(vii) Drainage

Concern has been raised in relation to surface water drainage. It is recognised that the area is wet in winter and a drainage condition is proposed in order to ensure that this issue is suitably addressed.

(viii) CIL and contributions

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) plus indexation of 20.02% in 2016.

The proposed development will be subject to CIL contributions of approximately £11,543.

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 LPA require a payment of £174 per dwelling to the Solent Disturbance Mitigation Project, and this payment has been received together with

admin and monitoring charges.

8 **Conclusion**

In conclusion, the proposed development is considered acceptable in principle and would have an acceptable impact on the character of the area and residential amenity. The impact on trees has been considered in detail and this is now considered acceptable. Subject to conditions highways matters and ecology can be satisfactorily addressed. Developer contributions have been secured in relation to recreational pressure on the SPA and the scheme is CIL liable.

Planning permission can be recommended subject to conditions as set out below.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/16/00081

(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 Compulsary Purchase Act 2004.
- 2 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.
- 3 The development hereby permitted shall be carried out fully in accordance with the submitted Tree Survey, Arboricultural Impact Assessment and Tree Method Statement unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the retention of important trees on and off site in the interests of amenity and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 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 nearby residents having due regard to the sloping nature of the land and policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 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, ensure the protection of nearby trees and 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.

- 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, 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.

- 7 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(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.

- 8 No above ground construction works shall commence 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, 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 landscaping shall include detailed plans of the proposed eastern boundary planting and a replacement beech tree.

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, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 No above ground construction works 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 dwelling hereby permitted shall not be occupied until the implementation of all such hardsurfacing has been completed in full accordance with that specification. Notwithstanding the submitted plans the access drive shall be finished in porous brickwork unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality and to reduce noise and having due regard to policies CS16, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 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 properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 The dwelling hereby permitted shall not be occupied 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 to ensure that the impact on bats is minimised and having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The car parking, turning 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.

- 13 The dwelling hereby permitted shall not be occupied unless and until the cycle store shown on drawing numbers 14A_025 005 Rev J and 14A_025 011 Rev B has been provided on site. The store shall thereafter be retained on site.

Reason: In the interests of sustainability and providing alternative transport options to the private car having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extensions, building alterations or windows shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: In the interests of neighbours amenities and to ensure protection of nearby trees having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Location and Block Plan Drawing No. 14A_025 001 Rev C

Site Plan as Existing and Proposed Drawing No.14A_025 003 Rev F

Site Plan Site Constraints and Overlooking Distances Drawing No.14A_025 004 Rev D

Site Plan As Proposed Drawing No.14A_025 005 Rev J

Ground and First Floor As Proposed Drawing No.14A_025 006 Rev D

Roof Plan and Cross Sections As Proposed Drawing No.14A_025 007 Rev B

Site Sections A-A Existing and Proposed Drawing No.14A_025 008 Rev C

Site Sections B-B Existing and Proposed Drawing No.14A_025 009 Rev B

Elevations: North, East and West As Proposed Drawing No.14A_025 010 Rev C

Elevations - South and Bike Store As Proposed Drawing No.14A_025 011 Rev B

Tree Survey Plan Drawing No.0359-16-NJT

Planning, Energy, Design & Access Statement R. Tutton

Tree Survey, Arboricultural Impact Assessment and Tree Method Statement dated 26th January 2016

Reason: - To ensure provision of a satisfactory development.