
Site Address:	1 Grove Road, Havant, PO9 1AR		
Proposal:	Construction of 1No. 2 bed detached house following removal of existing building and rear wall facility Twittens Lane; with associated hard and soft landscaping.		
Application No:	APP/15/00425	Expiry Date:	25/06/2015
Applicant:	Mr Burnett	Team:	Team 1
Agent:	Mr C Flint	Case Officer:	Tina Pickup
	Chris Flint Associates Ltd		
Ward:	St Faiths		

Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 Grove Road is located off South Street and falls within the St Faith's Conservation Area. The properties in Grove Road itself are substantial Edwardian houses with quality detailing and their good sized gardens to both the front and rear are noted within the St Faiths Conservation Area Character Area Appraisal. No. 1 is located on the north side of Grove Road being the first dwelling which sits at 90 degrees to the properties in South Street. A dividing footpath along the sites western boundary links Grove Road with Twittens Way to the north and a 2m high brick boundary wall forms part of the historic Twittens Wall. Whilst Grove Road is characterised by lower density dwellings having long gardens, the site is actually located off Twittens Way and is therefore more closely related to the surrounding higher density mixed use properties in both South Street and Twittens Way.
- 1.2 The application site comprises part of the existing rear garden of No.1 Grove Road, and currently has a brick, shallow pitched slate roofed domestic outbuilding at its northern end, sited entirely within (ie behind) the boundary Twittens Wall. It is primarily accessed from within the garden of No. 1 and as such is visually 'hidden' behind the Twittens Wall but does have a pedestrian gate giving access direct from Twittens Way. The boundary Twittens Wall varies in age and construction but no analysis and/or historic survey of this wall has been submitted.
- 1.3 No 3 to the east is separated by a 1.8m high close boarded fence and the residential curtilage of this dwelling is longer, extending beyond the northern boundary of the application site. Twittens Way is a cul-de-sac having a 'dog-leg' bend around the application site. As a result the application site is truncated on the bend; the adopted highway extends right up to the Twittens wall bounding the site, creating a triangular area of extended pavement, marked as a 'Keep Clear' area where single yellow lines and parking restrictions apply.
- 1.4 To the west, the site to the rear of 17 South Street has an extant permission for the construction of 2No 1 bed semi detached dwellings that would front Twittens Way (APP11/00295 refers). There is also the recently constructed dwellings to the rear of 23 South Street that include 3 No flats (09/58042/007) close to the Twittens that has 3 dormers facing east. The character of development to the west is distinctly higher density and more tightly-knit than the more spacious setting of Grove Road.

2 Planning History

2.1 The relevant site history at 1 Grove Road is as follows:

06/60893/007 - 1No 3 bed detached house with access to Twittens Way Refused 16/1/07.

This application proposed the complete removal of the Twittens wall to enable a traditional two storey dwelling with frontage car parking space on a plot that utilised at least half the garden area of No.1 Grove Road. The application was refused for 5 reasons:(i) inappropriate prominent development failing to respect spatial characteristics of area; (ii) loss of Twittens Wall; (iii) highway safety; (iv) detrimental to outlook & privacy of neighbours; and (v) lack of S106 obligations.

06/60893/008 - Conservation Area Consent for above

08/60893/009 - Single storey side extension Refused 30/5/08

96/60893/002 - Garden store to rear, incorporating reinstatement of pedestrian access in north boundary wall to Twittens Way Permitted 13/9/1996

96/60893/000 - Detached double garage to rear with new vehicular access onto rear access road Refused 23/7/96

2.2 Also of relevance is the recent planning history at No 3 Grove Road adjacent:

APP/14/00065 - Construction of 1No 2 bed detached house with new opening in wall to provide pedestrian access from Twittens Way Permitted 3/4/2014

This application proposed a live/work unit with 2 bedrooms on the ground floor and living accommodation on the first; of a contemporary semi-industrial design utilising timber cladding, white painted brickwork, aluminium windows and standing seam zinc roof. The historic part of the Twittens wall remained intact and the c.1974 stretch rebuilt of more appropriate brick with a pedestrian gate; the plot measured 19.37m x 10.2m leaving No 3 with a 22m rear garden and future occupiers with a garden of 8.74m.

2.3 A previous application at 9 Grove Road is also considered relevant:

01/62043/002 – Construction of detached bungalow with access from Twittens Way. Refused 14/01/02.

This application proposed the construction of a single storey dwelling, with new vehicular access resulting in the loss of a section of historic Twittens wall off the turning head of Twittens Way. The application was refused for 2 reasons: (i) inappropriate design and breach of boundary wall; and (ii) highway safety concerns arising from the use of the new vehicular access.

3 Proposal

The red line application site measures 17.3m in length and has a width of between 6.8m and 7.2m. This would leave a garden depth of approximately 14.5m for No 1 Grove Road, measured from the rear of the single storey extension. It is proposed to erect a two storey, two bed dwelling at the northern end of the created plot by demolishing the northern Twittens Wall. The dwelling would measure 9m x 5.8m with gable end fronting and right up to the back edge of Twittens Way, including a small recessed corner with front door and porch over. The eaves height would be 4m with a ridge height of 6.6m. The side western boundary wall would remain with a pedestrian

gate punctured in it to create access to the rear garden and cycle shed and bin stores. The resultant garden depth for future occupiers would be 7.7m.

During the course of determining the application the agent has supplied some additional information to counter some of the consultee responses: it is contended that the height and scale is less than adjacent schemes; meant to be subordinate in size compared to No 1 having character akin to a coach house; existing building with artificial slate roof detracts from conservation area; proposed materials would be good quality red brick, natural slate, timber sliding sash's and conservation rooflights; brickwork adjacent footpath would be repaired; NPPF suggests should not impose architectural style or taste; proposed development would have a positive effect; no negative impact on neighbours amenity; would provide a low value dwelling in an accessible town centre location; accept archaeological and landscape conditions

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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS6	(Regeneration of the Borough)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Supplementary Planning Documents

Borough Design Guide SPD (Dec 2011)

St Faiths' Conservation Area Appraisal & Management Plan, Consultation Draft 2007

Residential Parking and Cycle provision SPD (March 2010)

Listed Building Grade: Not applicable.

Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

County Archaeologist - The site lies in an area of considerable archaeological potential; results of recent investigations in South Street, located around 15 metres to the south west of the proposed new dwelling, have identified archaeological remains consistent with Roman occupation; I would advise that the recording of any archaeological remains be secured through the attachment of suitable conditions Building Control, (Fire Access Consultation) -Fire Authority should be consulted - Access via Twittens Way could be an issue re turning at end
Conservation Officer - Recommend refusal - detailed comments refer to No 3 permission which had a positive design impact of innovative design solution tailored to

site constraints, plus rebuilt poor quality fletton wall & benefited from a wider and longer plot; in comparison orientation and design of current proposal will lead to perception of overpowering bulk and scale; sited within 0.5m to each boundary and long plain brick frontage to public footpath. Result in dominant building on cramped plot detrimental to character and appearance of conservation area;

Development Engineer - Highways - parking standards do not insist on parking in town centre but consider any dwelling should have some private servicing space for unloading of shopping/children/maintenance etc; Traffic Regulations in the Twittens but unloading acceptable on single yellow lines and therefore vehicles will stop on double bend for short intervals; Highway Authority recommended refusal of No 3 adjacent but permission granted reinforcing precedent of that decision; Recommend refusal for highway safety reasons

Waste Services Manager - none received

Landscape Team - conflicting drainage route associated with ground floor plan; concerned that remnant gap between property and existing wall will have unsightly appearance & pose future maintenance issues; if permitted further details re facade materials and hard/soft landscaping required

Crime Prevention -Minor Apps - none received

Public Spaces Development Manager - none received

Countryside Access Team - none received

Southern Water - public foul sewer crosses site and no development within 3m either side; no soakaways within 5m; Informatives if permission granted

Environment Agency - no bespoke comments

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: 26

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

Statutory advertisement: Not applicable.

Number of representations received: 2

Summary: One from neighbour at No 21 South Street - suffered 3 years of noise & damage from construction of adj development which has significantly compromised our outlook and sunlight to small garden; proposed dev would rise above wall and block what little sunlight remains and will affect outlook; future occupiers will have clear view into our garden & bedrooms; was unaware of development to rear of 17 and this will completely enclose our garden;

One from Havant Civic Society - Decision to grant APP/14/00065 at 3 Grove Road has lead to this further attempt to develop; object to this proposal as little architectural merit; plot size smaller than No 3 and resultant remaining garden for No 1 will be smaller and out of keeping with character of area identified in CA Appraisal Management Plan; parking - no parking and on dogleg bend - inevitable unloading of shopping would cause problems. Also note plot at No 3 has failed to sell so no demand for properties without parking.

Comment: These issues will be considered below:

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 and appearance of the area and Conservation Area
- (iii) Plot size
- (iv) Impact upon residential amenity
- (v) Highways and parking
- (vi) CIL Liability and SDMP

(i) Principle of development

2 The site lies within the built up area of Havant where new development should be concentrated as a matter of principle, subject to being appropriate to the character of the area and detailed development control considerations. The location of the site within a Conservation Area does not result in an objection in principle to new development, but requires greater care in the consideration of the details to ensure that the statutory duty to preserve or enhance the character of the Conservation Area is achieved.

(ii) Effect on the character and appearance of the area and Conservation Area

7.3 The proposal is sited within St Faith's Conservation Area and Grove Road itself is of sufficient quality and significance to warrant its own Character Area within the Conservation Area. The St. Faiths Conservation Area Appraisal & Management Plan document specifically notes that *"The character area encapsulates the late suburbanisation of the town. Laid out between 1900-1914, Grove Road has a very generous wide road section with good sized gardens to the front and rear of properties. The overall character is spacious and very suburban"* (para 7.3.5) ...and *"The boundary walls and soft landscaping in the form of hedges and small trees to boundaries forms a very positive part of the character of this sub-area."* This is discussed in more detail at paragraph 7.9.2 where it is noted that *"Gardens in particular ensure that the generous houses of the suburban extensions are seen in the context of proportional settings. The open character of some of these garden spaces is an important part of the setting of many of the larger houses which make a positive contribution towards the character and appearance of the conservation area."*

7.4 There is no doubt that Grove Road is an attractive example of Edwardian suburbia, worthy of its status. In assessing the development proposal consideration must therefore be given to whether any harm would be caused to the character and appearance of Grove Road itself. In this regard it is arguable that from within Grove Road the proposal would only be visible by glimpsing a view of the roof, above the boundary wall, some 70m away down the twittens footpath to the west of No 1 Grove Road. From the general public domain of Grove Road the proposal would therefore have little or no effect on the character of the street scene. What it would do is reduce the garden size available to No. 1 Grove Road which is an advantage of these dwellings more readily apparent to the private domains of the dwellings themselves. The Character Appraisal as quoted above notes that the importance of the gardens to the character of the Conservation Area is the fact that they are proportionate to the dwellings themselves. As substantial dwellings they are

appropriately set within substantial plots. One of the key issues is therefore whether this proposal would result in a plot *disproportionate* to the host dwelling to such a degree that it would result in conditions that materially fail to protect and enhance the character of the Conservation Area.

- 7.5 When determining the application at No 3 it was noted that No 3 had an exceptionally long garden, even by Grove Road standards, and was therefore unique. No 3 has a rear garden depth of 41m from the rear facade of the original dwelling. The proposal left No 3 with a 22m rear garden. The majority of properties on the north side of Grove Road have gardens within an approximate range of 27m – 35m, whilst those on the south side have only approximately 18m - 20m deep rear gardens. Measured from the submitted 1:500 site plan, No 1 has a rear garden length of 31.5m (the 1:1250 OS plan indicates this to be 36m).
- 7.6 The proposed development would result in No. 1 Grove Road being left with a garden depth of just 14.5m - this is less than others within Grove Road and is considered to be dis-proportionate to the size of the house and out of keeping with others within the Grove Road Character Area. This significant reduction in garden depth available to No 1 would jeopardise the spacious setting of the host Edwardian property and those in the vicinity of the site, and consequently would cause harm to the character of the Conservation Area by undermining the spacious quality of the area.
- 7.7 Conversely the visual appearance of Twittens Way is quite poor, yet is still part of the Conservation Area. It comprises a mix of commercial and residential development, generally hard up to the highways edge, being very dominant on the street. The majority of development comprises red brick with many modern alterations involving a mix of materials. The site to the rear of 17 South Street fronts Twittens Way, and has the benefit of an extant planning permission for 2 dwellings (APP/11/00295 refers). These were carefully designed as a pair of semi-detached traditional cottages fronting Twittens Way. These reflected the scale and rhythm of development in the general area and had the benefit of making an attractive addition to the street, regaining the lost street frontage and much needed enclosure.
- 7.8 The recently approved dwelling at rear of No 3 also made a positive contribution to the appearance of the area by providing a contemporary steeply pitched roof focal point behind the historic wall and had the added benefit of rebuilding the poor quality modern part of the wall in more appropriate brickwork and bonding/pointing. This scheme therefore retained the integrity of the historic wall yet provided a visual enhancement to the area. However the current proposal does not offer any such benefit. The northern stretch of the historic wall fronting Twittens Way would be lost altogether with the front facade of the proposed dwelling providing the street boundary. The existing wall provides a strong visual representation and is part of a more substantial stretch of historic walling. The loss of part of the wider street frontage historic wall would unacceptably break the otherwise continuous visual identity of the area and detrimentally harm the character and appearance of the area. No specific heritage assessment of the quality of the wall has been submitted justifying the loss of this stretch of historic wall; its loss is considered to neither preserve or enhance the character of the conservation area, and be contrary to policy DM20 of the Local Plan.
- 7.9 Furthermore the Conservation Officer is concerned that due to the orientation of the proposed building so close to the adjacent public footpath, with a long bland flank western elevation, the building would be perceived as imposing and overpowering.

The proposed dwelling would give the appearance of being squeezed onto a tight plot with limited space about. Overall the design solution would not positively enhance, by virtue of bland design, and the scale and location of the proposal would harm the character of the Conservation Area. Therefore the proposal is not considered to offer any merit or positive enhancement of the Conservation Area and cannot be supported.

(iii) Plot Size

- 7.10 The proposed plot would measure 17.3m in length with a width of between 6.8m and 7.2m i.e. approximately 116 sq m. Due to the narrower garden this is considerably less than the plot adjacent at No 3 which measured 19.37m x 10.2m i.e. 197 sqm. Furthermore, after the footprints of the proposed dwellings, the application site would have a garden depth of 7.7m giving an area of just 52 sqm, whereas the future occupiers of the plot at No 3 had a garden depth of 8.74m and area of 87.4sqm. These figures demonstrate that the current proposed development is tighter and more contrived than that adjacent at No 3. In addition the existing residents of No 1 would only be left with a rear garden of 14.5m compared to the 22m remaining for No 3.
- 7.11 On balance it is considered that the plot size available and resultant garden area for both new and existing occupiers would be minimal and represent an overdevelopment of the site as a whole. No 3 was in a unique position in that it had an exceptionally long garden and it is considered that the subdivision of the plot at No 1 Grove Road cannot successfully replicate this due to the shorter and narrower garden size available. Future residents of both the proposed dwelling and No 1 would have substandard amenity space available to the detriment of their residential amenity.
- 7.12 It is accepted that the plot size is not trying to replicate the spacious setting of the original Grove Road dwellings but is more related to the higher density surroundings of Twittens Way including the higher density setting development to the rear of 17 South Street and those to the rear of 23 South Street. However these developments did not impact on the spacious setting of Grove Road and in contrast the effect of the proposed development is to undermine the spacious quality of No 1 Grove Road. As the first/most westerly dwelling in Grove Road the site is at the point where the character and density changes. To allow the proposed subdivision would fundamentally alter this character and represent an overdevelopment of the whole site contrary to policy CS16 c).

(iv) Impact upon Residential Amenity

- 7.13 The design incorporates a low eaves level with the only first floor windows in the front and rear gable ends. Due to the adequate separation distance to the properties in Grove Road, which is an established residential area with many surrounding first floor windows, these windows would not result in any significant additional loss of amenity to surrounding residents. The proposal also includes 3 roof lights in the western roof slope and these appear to be set relatively low within the first floor rooms (no cross sections are supplied to confirm this) and as such would likely enable clear views out. Due to the siting of the dwelling so close to the western boundary and narrow Twittens footpath, these side roof light windows would enable direct views into the rear garden areas of number 17 and 19 South Road, and oblique views into No 21. The detrimental impact of this potential loss of privacy could however be overcome by conditioning these roof light windows to be

permanently obscure glazed and non-opening if permission were granted.

- 7.14 In terms of the presence of the building and how that would affect the outlook from neighbouring properties, there is no doubt that the proposed dwelling would be more visible than the existing outbuilding. However the separation distances involved (some 22.6m from the rear of No. 1 Grove Road) are in excess of the separation standards set out in the Borough Design Guide SPD. From within the gardens of Grove Road the roof would be viewed against the backdrop of the mass and bulk of other two storey buildings backing onto Twittens Way, in particular the building to the rear of 15 South Street. From the gardens of 17 & 19 South Street the view of the development would truncate their gardens with the side roof profile. However it is the occupiers of No 19 & 21 that already feel 'hemmed in' (see objection letter) by development at rear of 23 and the extant permission at 17, whereas the siting of the proposed development would only sit at the rear of 17 and partially 19, not No 21. Whilst the additional height and presence of this development at the end of their gardens would cumulatively affect their outlook from 19, the separation distance is sufficient to comply with the adopted Design Guide SPD so could not be a reason for refusal. The extant development at no 17 would result in a side to side separation distance of 10m and this is also considered a sufficient distance to protect outlook.

(v) Highways and parking

- 7.15 Whilst the Development Engineer has repeated his concerns expressed over the plot at No 3 regarding the lack of servicing to the proposed dwelling, nevertheless the site does fall within Havant town centre in a sustainable and highly accessible location – the Residential Parking and Cycle Provision SPD sets out that standards within Havant town centre are set at a *maximum* (not minimum) of 1 space for a two bedroom dwelling. Having its primary frontage and door fronting Twittens Way, immediately adjacent the extended triangular pavement on the bend in the cul-d-sac, it is therefore likely that any servicing necessary for the dwelling, eg deliveries, taxis, emergency vehicles etc, would pull up and wait outside. Depending on the size of vehicle involved this may on occasion cause a partial blockage of Twittens Way close to the bend. However at this point there are single yellow lines only, where unloading is legally permitted. Given that the dwelling at No 3 was allowed with no on site parking, then on balance it is considered that in this town centre location the likely incidence of vehicles actually causing a highway safety concern are likely to be very limited and could not justify a reason for refusal on this issue alone.

(vi) CIL Liability and SDMP

- 7.16 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 Havant.
- 7.17 It is considered that there is a CIL liability for this site. The completed CIL planning form indicates that the total net additional internal floor space will be 49 sqm (a credit is given for the existing building on site) and as such this will require a CIL payment of £3,920. The applicant has been advised of this sum but the Assumption of Liability Notice has not yet been returned.

7.18 This development would also 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. Policy DM24 of the Allocations Plan which was adopted on 30 June 2014, covers this issue and allows for a financial contribution to be made towards mitigation measures. This is set at £172 per dwelling to the Solent Disturbance Mitigation Project. For the proposed dwelling, plus admin and monitoring fee, the appropriate payment would be £200.60. The appropriate paperwork has been sent to the agent but as yet not returned.

7.19 Since the application is recommended for refusal the absence of the SDMP financial contributions can form a further reason for refusal, and in the event of an appeal, both this contribution and the CIL payment can be subsequently made to address these issues.

8 Conclusion

8.1 It is considered that the proposed dwelling, to the rear of 1 Grove Road, accessed off Twittens Way, would not provide any visual enhancement or design flair to Twittens Way and as a result of the loss of the historic wall would not protect or enhance the visual appearance of the Conservation Area. Furthermore the subdivision of the plot would undermine the spacious character of No 1 Grove Road and lead to an overdevelopment of the plot, contrary to policy CS16. The application is therefore recommended for refusal.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/15/00425 for the following reasons:

- 1 Development of the site in the manner proposed would amount to an over-development, in that it would give rise to unsatisfactory plot sizes for both the proposed plot and 1 Grove Road, out of keeping with the character of Grove Road, leading to a cramped and congested layout. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 2 The proposed development fails to enhance the character and appearance of St Faith's Conservation Area and would adversely affect the spacious character of the dwellings in Grove Road, by reason of the reduced garden length available to No 1 Grove Road. Furthermore the scale and location of the proposed dwelling, having a bland form of design, would result in a visually dominant building on a cramped plot, that would harm the character and appearance of the Conservation Area. It is therefore considered to be contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.
- 3 Notwithstanding the quality of the Twittens Wall, nevertheless its loss from the northern boundary would have a detrimental affect on the visual character and appearance of Twittens Way and the historical integrity and continuity of this strong feature within St Faiths Conservation Area. It is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy

DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.

- 4 The proposal, without the completion of the appropriate binding arrangements to secure a contribution towards the Solent Disturbance Mitigation Project, is contrary to the Council's Policy on mitigating the impacts of development which, in accordance with approved Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 seeks to mitigate the impact of new residential development on the Solent Special Protection Area (SPA).