
Site Address:	48 Hart Plain Avenue, Waterloo, PO8 8RX		
Proposal:	Proposed new single chalet bungalow to be constructed in the rear garden of No. 48 Hart Plain Avenue. Replacement garage to be constructed at the front of the existing dwelling.		
Application No:	APP/15/00930	Expiry Date:	28/10/2015
Applicant:	Mr Olds	Team:	Team 2
	Landmark Estates Ltd		
Agent:	Mr Olafsson	Case Officer:	Heather Lealan
	Martin Ralph Architects		
Ward:	Hart Plain	DMC Lead Member	

Reason for Committee Consideration:

Density:

HDS Recommendation: **GRANT PERMISSION**

Site Description

- 1.1 The application site comprises 0.15ha on the north side of Hart Plain Avenue. It contains a detached single storey dwelling of traditional character and render and tile finish, located within a long rectangular plot on the north side of Hart Plain Avenue, opposite Cowplain Community School and west of its junction with Glenmore Gardens. The bulk of the development would be located at the rear of the site and would be accessed via a driveway, utilising the existing vehicular access and running alongside the western boundary of the property.
- 1.2 The rear part of the application site mostly comprises a grassed area with a selection of fruit trees, and the front part of the site is also mainly grassed. Both areas have established boundary treatments consisting of fencing and hedging. With the exception of the large school site, the area predominantly comprises residential development of a broadly similar character.

2 Planning History

2.1 APP/14/01078

The construction of 2 no 3 bed detached chalet style bungalows to the rear of the site and a replacement garage for the existing dwelling to the front. The resulting density (the two proposed dwellings and the existing one), was 20dph. This application was refused and the subsequent appeal dismissed. The appeal Inspector concluded that the proposed layout would not result in unsatisfactory plot sizes or lead to a cramped and congested layout, but that it nonetheless failed to respect local context or produce a positive relationship between buildings, contrary to the requirements of adopted Core Strategy policy CS16, on the following basis:

"In view of its overall height, depth and proximity to the boundary with the rear garden of 3 Glenmore Gardens (No.3), the dwelling on Plot 2 would be unacceptably dominant and overbearing on the outlook from that property, including its private rear garden. Although the separation distance between buildings may exceed 10 metres, the fact that the new dwelling would extend for almost the full width of the neighbouring garden would make it particularly oppressive."

3 Proposal

- 3.1 The current planning application the subject of this report seeks to overcome the previous reasons for refusal and proposes a new single 4No. bed chalet bungalow to be constructed in the rear garden of No. 48 Hart Plain Avenue. A replacement garage is proposed to be constructed at the front of the existing dwelling. The resulting density (the proposed dwelling and the existing one), is 13dph.
- 3.2 The appeal Inspector considered that the previous proposal would have had the greatest impact on No.3 Glenmore Gardens. The building proposed on Plot 2 of the previously refused scheme was 2m from the shared boundary with No.3 Glenmore Gardens and the revised scheme the subject of this report has a greater separation distance of 8 - 8.5m from the shared boundary and 19m separation distance between the existing dwelling at No.3 and the proposed dwelling.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS9	(Housing)
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)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Supplementary and Other Planning Documents

Borough Design Guide (2011)
Housing SPD (2011)
Residential Parking and Cycle Provision (2010)
Developer Contributions Guide (2013)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist:

Agrees that Tree 1 Oak, Tree 12 Goat Willow and Tree 15 Goat Willow are the trees of merit on this site, with the remainder being fruit trees and trees of poor quality and low value. Protection measures advocated in the Tree Report and on the Tree Protection Plan submitted are adequate in respect of Trees 12 and 15. However, the prime tree on this site is the Oak (Tree 1) at the front of the site. Concerns are that the access is currently laid to tarmac apron and brick sets in the drive. If this is to remain

in place then fine BUT if this is to be lifted and the access widened and re-vamped (as it appears on the plans) then this trees roots are under threat and a detailed Method Statement will need to be submitted, inclusive of protection measures for encasing the trunk during construction works to protect it (boxed hoarding) and a schedule of arboricultural expert site supervision and monitoring when the access is being formed.

Officer Comment: Appropriate conditions are recommended in the event of an approval.

Development Engineer:

The Highway Authority has no adverse comments to this application. I would suggest that the Planning Authority condition the construction and retention of the parking and turning areas shown on the plans in order that the development conforms to HBC Parking Standards.

Officer Comment: Appropriate conditions are recommended in the event of an approval.

Building Control (Fire Access Consultation):

Consultation with Hampshire Fire and Rescue Service should be carried out to comment on access and lack of turning facilities.

Officer Comment: Fire Service also consulted, see below.

Waste Services Manager:

No comments

Public Spaces Development Manager:

No comments.

Crime Prevention:

No comments

Hampshire Fire & Rescue:

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations. Access to the proposed site should be in accordance with Hampshire Act 1983 Sect, 12 (Access to buildings within the site will be dealt with as part of the building regulations application at a later stage). 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

Officer Comment: An appropriate informative is recommended in the event of an approval.

Engineering/Drainage:

Consultation response to previous application -There are issues with drainage at all the runs of back gardens between Waterlooville and Cowplain – as each strip field was developed the drain along the hedgerow was lost (there are a few exceptions where these can still be seen). Water naturally still travels to these locations due to the lie of the land. Without wholesale drainage infrastructure being provided - difficult without affecting literally hundreds of gardens and demolishing some buildings – all that can be done is to mitigate the effects of this historical aberration. It seems the developer has this in hand.

Officer Comment: The current proposal cannot be expected to fully resolve the historic drainage issues that are prevalent in the locality. Soakaways to modern standards to dispose of surface water emanating from the development itself should

be constructed within the site. However, this matter would be subject to the Building Regulations, an informative to this regard could be attached to any planning permission.

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: 15

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 2

Summary:

- (a) Development too close to Glenmore Gardens, therefore will be overbearing and will impact on outlook.
- (b) Exacerbation of surface water flooding problems.
- (c) Exacerbation of parking problems. (including outside school gates)
- (d) Impact on wildlife.
- (e) Loss of trees and vegetation. If the scheme is permitted the trees at the end of the garden should be saved and care taken not to damage the oak to the front of the site
- (f) Permission would set an unwelcome precedent leading to the loss of other large gardens.
- (g) Loss of privacy to adjacent dwellings

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
- (iii) Impact upon residential amenity
- (iv) Trees and Ecology
- (v) Developer Contributions and Other Matters

- (i) Principle of development

- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The provision of 1 new dwelling, whilst modest, would contribute to the target of providing 6300 new homes across the Borough under Core Strategy Policy CS9. The proposal comprises a form of backland development that has traditionally been resisted. However, the acceptability of such layouts has more recently been established on various sites at planning application and appeal stage. An example can be found at 40 Hart Plain Avenue, where a more intensive redevelopment of a smaller plot has recently been

completed, following a grant of permission by this Authority. Indeed the appeal Inspector considered that the previously refused scheme for two dwellings within this site would not be out of keeping with the general streetscene and that "...the general pattern of development in the immediate vicinity is that of deep plots , but this has evidently been altered as a result of the creation of cul-de-sacs and backland development at intervals along Hart Plain Avenue". The reason the appeal was upheld was the context of the development and the potential harm that would be created by the previously proposed plot 2 on the amenities of the occupiers of the adjacent dwelling, (No.3 Glenmore Gardens).

(ii) Impact upon the streetscene

- 7.3 The existing access point to Hart Plain Avenue would be utilised and the new dwelling to the rear of the site would only be visible in limited and distant views from the public highway. The proposed replacement garage would be at the front of the existing dwelling and would thus be quite prominent within the street scene. However, the building would be set back from the highway by approximately 5 metres, in line with the front elevation of buildings further to the west and east. Given this, the presence of screening and the backdrop of the existing dwelling, it is considered that the proposal would not have a detrimental impact on the amenities of the street scene.

(iii) Impact upon residential amenity

- 7.4 The proposed replacement garage to the front of the site would have a potential impact on the neighbouring properties to the east and west, at 46 and 50 Hart Plain Avenue respectively. There is established boundary treatment in each case and the building would be set back by approximately 11-12 metres from the boundary with number 50. Although only approximately 2 metres from the boundary with number 46, the building would not face directly on to the dwelling house but rather on to the generally less private front garden area. It is considered that this would not result in a detrimental impact on the amenities of the neighbouring property.
- 7.5 The new dwelling to the rear would be set at good distances from the existing dwelling at 48 Hart Plain Avenue and those to the rear at 67, 69 and 71 Silvester Road. Whilst the new dwelling would be visible from these properties and their gardens, it does not automatically follow that it would be intrusive. The relevant average rear garden lengths satisfy the criteria contained within the Borough Design Guide, which should ensure that all these dwellings (including the proposed) have sufficient private amenity space and do not have a detrimental impact on one another in terms of overlooking, shadowing or overbearing impact.
- 7.6 Boundary treatments to the adjoining dwellings would be retained. The upper part of the proposed dwelling would be visible from the dwelling and garden area of 50 Hart Plain Avenue. However, this property has a lengthy garden and the proposal should cause no more significant visual impact than the various existing dwellings around the locality. The relationship between the proposal and the dwelling at number 50 is such that there should be no material degree of resultant shadowing, overlooking or overbearing impact.
- 7.7 The proposal would potentially impact most on the existing dwellings at 1, 3 and 5 Glenmore Gardens, to the east of the site. The planning Inspector concluded that the side elevation of Plot 2 of the previous scheme would face directly onto the rear elevation and garden of number 3 at a distance that would materially diminish the outlook of the occupants of No.3 and be oppressive. The revised scheme the subject

of this report has addressed this concern by deleting plot 2 from the scheme completely and by changing the orientation of the remaining proposed dwelling; such that the smaller gable end will face onto the properties of Glenmore Gardens rather than the long side elevation as proposed by the refused scheme. Most significantly, the proposed building is now to be sited at a separation distance of 19m from the rear elevation of No.3 Glenmore Gardens. This increased separation distance is now well in excess of the requirement of the Borough Design Guide, which advises a minimum separation distance of 10m rear to blank gable is usually acceptable (at paragraph 5.05) *"In order to maintain a reasonable relationship between new dwellings and neighbouring properties, the following minimum distances should apply:...Where a dwelling faces a blank gable, 10 metres separation distance is required"*. Although the proposal involves a single narrow window at first floor level to this elevation, it would be obscure glazed and serves a bathroom and therefore it is considered that para 5.05 of the Borough Design Guide is relevant to the current proposal.

- 7.8 Consideration also has to be given to the general pattern of relationships between dwellings in urban areas, where Local Planning Authorities are encouraged to ensure the best use of land is achieved in terms of development proposals. Taking all of these matters into account, it is considered that the proposal would not have a demonstrably detrimental impact on the amenities of the occupiers of the existing dwellings in Glenmore Gardens.

(iv) Trees and Ecology

- 7.9 The Tree Officer has noted that the Tree Report and Tree Protection Plan submitted with the application are adequate, although, as for the refused scheme, further information will be required regarding the Oak Tree to the front of the site. These matters could be made the subject of a planning condition in the event of an approval. Although the site is not covered by any nature designations, an Ecology Report has been submitted with the application. This Report is considered an appropriate approach in the circumstances and its recommendations could be reflected in planning conditions in the event of an approval.

(v) Developer Contributions and Other Matters

- 7.10 The proposal is subject to financial contributions relating to the Community Infrastructure Levy (CIL) and the Solent Recreation Mitigation Project (SRMP). The necessary CIL forms have been completed by the applicant and an appropriate SRMP Deed and Payment has been requested. Other matters raised during the consultation process are noted above and planning conditions are recommended where appropriate.

8 Conclusion

- 8.1 The proposed construction of 1 no 4 bed detached chalet style bungalow and a replacement garage are acceptable in principle and would not have a detrimental impact on the streetscene. It is considered that the revisions to the scheme address the findings of the Planning Inspector regarding the previously refused scheme for 2 dwellings. Impact on trees and ecology, developer contributions and other matters can be satisfactorily dealt with by way of planning conditions or other normal processes.
- 8.2 The impact of the proposal on residential amenity, particularly in the case of Glenmore Gardens, is much improved from the previously refused scheme and a greater distance of separation is achieved. Taking into account national and local guidance,

the proposal would not have a demonstrably detrimental impact on the amenities of the occupiers of the existing dwellings in Glenmore Gardens or the amenities of occupiers of other dwellings in the locality.

- 8.3 Subject to satisfactory provision for the payment of the SRMP contribution, the planning application is therefore recommended for approval.

9 RECOMMENDATION:

That the Executive Head of Planning and Economy be authorised to **GRANT PERMISSION** for application APP/15/00930 subject to:

(A) The satisfactory completion of arrangements to secure the financial contribution required in respect of the Solent Recreation Mitigation Project; and

(B) 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:

Location and Block Plans drwg.no 14A_067 001 rev D received 27 August 2015

Site Analysis drwg.no 14A_067 002 rev A received 27 August 2015

Existing and Proposed Site Plans drwg.no 14A_067 004 rev E received 27 August 2015

Proposed Layout drwg.no 14A_067 006 rev E received 27 August 2015

Proposed Ground Floor Layout drwg.no 14A_067 007 rev E received 27 August 2015

Proposed First Floor Layout drwg.no 14A_067 008 rev E received 27 August 2015

Comparison Site Sections drwg.no 14A_067 009 rev A received 27 August 2015

Proposed Elevation drwg.no 14A_067 010 rev E received 27 August 2015

Proposed Replacement Garage Elevations drwg.no 14A_067 012 rev A received 27 August 2015

Site Sections AA & BB as Proposed drwg.no 14A_067 011 rev B received 27 August 2015

John Shutler Tree Services Arboricultural Report dated 26 August 2015

Reason: - To ensure provision of a satisfactory development.

- 3 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above

ordnance datum) of both the ground floors of the proposed buildings 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 strict accordance with the approved details.

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.

- 4 Measures shall be undertaken to prevent damage to existing trees throughout implementation of the development hereby approved, in accordance with the Arboricultural Report prepared by John Shutler Tree Services on 26 August 2015 and received by the Local Planning Authority on 27 August 2015. All such measures shall be undertaken and fully adhered to at all times whilst such implementation is in progress. Any such tree which is nevertheless seriously damaged during that implementation shall be replaced within 6 months of the occurrence of such damage by another of the same species in the same position and of not less than Extra Heavy Standard when planted.
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 CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 5 Notwithstanding the requirements of Condition 6, a detailed Method Statement relating to Oak Tree 1 (as identified within the Arboricultural Report), inclusive of protection measures for encasing the trunk during construction works to protect it (boxed hoarding) and a schedule of arboricultural expert site supervision and monitoring when the access is being formed, shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development hereby approved. All approved measures shall be undertaken and fully adhered to at all times whilst development implementation is in progress. If the tree is nevertheless seriously damaged during development, it shall be replaced within 6 months of the occurrence of such damage by another of the same species in the same position and of not less than Extra Heavy Standard when planted.
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 CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 6 Measures shall be undertaken to prevent harm to biodiversity throughout implementation and occupation of the development hereby approved, in accordance with the Ecological Appraisal prepared by The Ecology Co-Op Environmental Consultants on 18 September 2014 and received by the Local Planning Authority on 27 August 2015. All such measures shall be undertaken and fully adhered to at all times whilst such implementation and occupation is in progress.
Reason: To safeguard the continued health and presence of fauna and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 7 Unless otherwise agreed in writing with the Local Planning Authority, the dwelling and garage hereby permitted shall be constructed in accordance with the external facing and roofing materials as detailed within the submitted plans.
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.
- 8 The development shall be constructed in accordance with the hard and soft landscaping specifications as detailed within the submitted plans. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing and soft landscaping has been completed in full accordance with that specification.
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.
- 9 The development hereby permitted shall not be brought into use until the means of enclosure of the site has been installed and completed in full accordance with the specifications as detailed within the submitted plans.
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 The development shall not be brought into use until the parking spaces and turning area shown on the approved drawings have been provided within the curtilage of the site and thereafter all of those spaces shall 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.
- 11 The window at 1st floor level in the eastern elevation of the dwelling hereby approved shall:-
- (i) consist of at least two lights divided horizontally with only the top and middle light capable of being opened, being hinged at the top with a restricted opening of no more than 20cm, and shall be maintained in that condition at all times;
 - 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.